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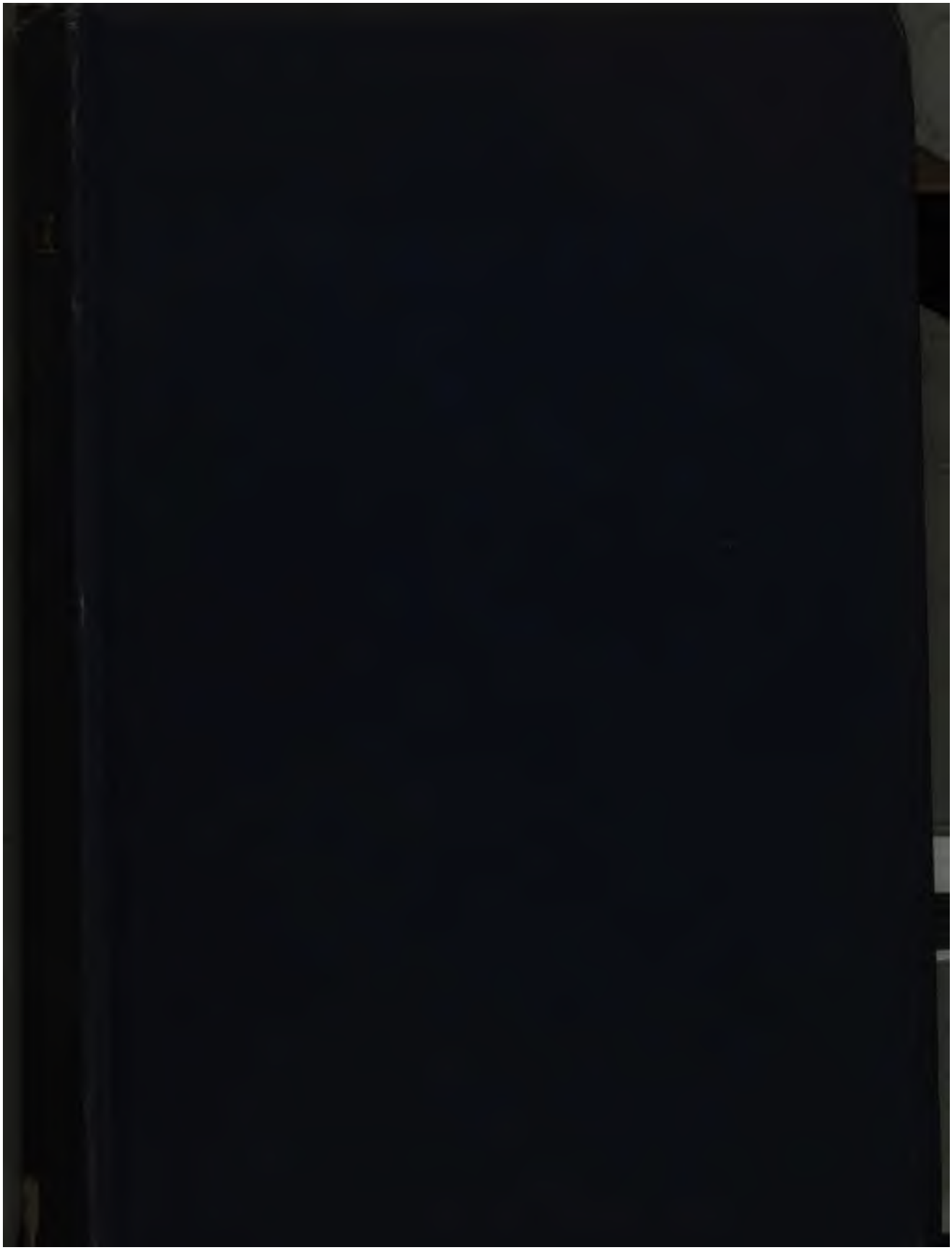

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MEMOIRS

OF

JOHN ADAMS DIX

COMPILED BY HIS SON

MORGAN DIX

Illustrated

IN TWO VOLUMES.—Vol. II.

NEW YORK
HARPER & BROTHERS, FRANKLIN SQUARE
1883

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IX.

THE WAR FOR THE UNION.

NEW YORK.—BALTIMORE.—VIRGINIA.

A.D. 1861-1865.

Letters from President Buchanan.—Fort Sumter.—Correspondence with Major Anderson.—Opening of the War.—March of the Sixth Massachusetts.—Union Defence Committee.—Great Meeting in Union Square.—New York Major-generals.—Commission as Major-general in United States Service.—"On to Richmond."—Intrigues at Washington.—Plan of a Campaign.—Bull Run.—Ordered to Baltimore.—Critical Condition of Maryland.—Life at Fort McHenry.—Suppression of Newspapers.—Arrest of Legislature.—A Sentinel may Shoot his Commanding Officer.—Expedition to Accomac and Northampton.—Special Commission for Prisoners of State.—Transfer to Fortress Monroe.—Expedition against Richmond.—Draft Riots in New York.—General Dix Ordered to that City.—Fall Elections of 1864.—The Forged Proclamation.—Great Fair for the Sanitary Commission.—Canada.—Raid at St. Alban's.—Assassination of President Lincoln.—End of the War.—Visit to Montreal.—Close of Army Life.

MEMOIRS

OF

JOHN ADAMS DIX.

IX.

ALTHOUGH relieved for a time from the cares of office, General Dix was in constant communication with the government, and with prominent statesmen throughout the country. He was invited to Washington more than once, by members of President Lincoln's Cabinet or by the Cabinet in council, to give advice on questions of state. Of the many letters of that period the following are specimens:

"*Private.*

"Wheatland, March 18, 1861.

"MY DEAR SIR,—Many thanks for your kind letter of the 14th instant. I shall ever recollect with pleasure and satisfaction your brief sojourn with us at the White House—and with gratitude the able and successful manner in which you performed the duties of your arduous and responsible office.

"You might envy me the quiet of Wheatland were my thoughts not constantly disturbed by the unfortunate condition of our country. The question of the withdrawal of the troops from Fort Sumter at first agitated the public mind in this vicinity, but my impression is that the people are now becoming gradually reconciled to it. There is a general desire for peace. As a military movement General Scott's name will go far to sustain Mr. Lincoln. After Major Anderson's letter received on the 4th of March it was very doubtful whether he could be re-enforced by all the means within the power of the government. The only alter-

native would have been to let the Confederate States commence the war on him, and if the force had been so superior as to render successful resistance impossible after the honor of the flag had been maintained, then to authorize him to capitulate. Indeed, I presume, such or nearly such was the purport of our instructions.

"It is possible an attempt will be made, as you suggest, to rest the responsibility on me. But I always refused to surrender the fort, and was ever ready to send re-enforcements on the request of Major Anderson. I thank God that the revolution has as yet been bloodless; notwithstanding, my duty as prescribed in my Annual Message has been performed as far as this was practicable.

"With my kindest regards to Mrs. Dix, I remain always, sincerely and respectfully, your friend, JAMES BUCHANAN.

"General DIX."

"Washington, April 8, 1861.

"DEAR SIR,—I am as much in the dark as yourself in regard to the actions and designs of the present administration.

"This city has been in a great state of excitement about the military and naval movements of the last few days, and no one but the officers of government know their purpose. In this respect they have a great advantage over the last administration, because the Secessionists have now no representative in the Cabinet or kitchen. I saw Mr. Holt last evening, and he is also ignorant of the object of the active preparations going on. He made, however, this suggestion, that the Confederate Government refuses to allow a simple evacuation of Fort Sumter, but requires an ignominious surrender. That the administration *will fight* before submitting to such a condition. If this be the reason, I am with the administration on that point. And although Mr. Holt says he *knows* nothing about it, the shrewdness of the guess leads me to think he has received some information. So far as Chase is concerned, I do not think there has been anything unfair or concealed in his action. The loan turned out better than I expected, and had I been Secretary, I would have taken the whole eight millions on the terms offered, rather than risk the chances of the times. I have no doubt there has been a settled purpose to evacuate Sumter, and that the delay has arisen from the terms required by the Confederates. The country would stand war, rather than see Anderson a captive, or required to haul down his flag. The administration will also hold on to Pickens, and aid Houston in Texas.

"I do not think peaceful relations will continue much longer; nor do I think hostilities will be so great an evil as many apprehend. A

round or two often serves to restore harmony; and the vast consumption required by a state of hostilities will enrich rather than impoverish the North.

"The best joke I have known lately is a note from Twiggs to Holt in respect to the *epithets* contained in his order of dismissal. Twiggs don't like them. How would he relish the original order? I have not heard from Wheatland since you were here. Mrs. Stanton and your juvenile friend are well. Mrs. S. and L. shall visit New York in a few weeks, unless Ben McCullough should capture us before long.

"The herds of office-seekers still throng the city.

"With sincere regards, I remain, yours truly,

"EDWIN M. STANTON.

"Hon. JOHN A. DIX."

"Wheatland, near Lancaster, April 19, 1861.

"MY DEAR GENERAL,—I need scarcely say I was much gratified with your letter to Major Anderson, as well as with his answer. You placed in an eloquent and striking light before him the infamous conduct of General Twiggs and others. His response was manly and loyal. By-the-bye, I some time since received an insulting letter from General Twiggs, dated in Mississippi, on the 30th ultimo. Its conclusion is as follows: 'Your usurped right to dismiss me from the army might be acquiesced in, but you had no right to brand me as a traitor: this was personal, and I shall *treat it as such*—not through the papers, but *in person*. I shall most assuredly pay a visit to Lancaster for the sole purpose of a *personal interview* with you. So, Sir, prepare yourself. I am well assured that public opinion will sanction *any course* I may take with you.'

"I have paid no attention to this note, and entertain but little apprehension from the threats of this hoary-headed rebel. My fate, however, is in some respects hard. After my Annual Message of the 3d of December, in which I made as able an argument as I could against secession, and indicated my purpose to collect the revenue and defend the Federal forts in South Carolina, etc., etc., the Southern friends of the administration fell away from it. From the line prescribed in this Message I am not conscious that I have departed a hair's breadth so far as it was practicable to pursue it. I was ready and willing at all times to attempt to collect the revenue, and, as a necessary preliminary, I nominated a Collector to the Senate. You know the result.

"After my explosition (*sic*) with the Commissioners of South Carolina at the end of December, the Southern Senators denounced me on the floor of the Senate; but after my Message to Congress of the 8th of January, one of them at least abused me in terms which I would not repeat.

In that Message I declared that 'the right and the duty to use military force defensively against those who resist the Federal officers in the execution of their loyal functions, and against those who assail the property of the Federal Government, is clear and undeniable'—and more to the same purpose.

"Warning was repeatedly given that if the authorities of South Carolina should assail Fort Sumter this would be the commencement of a civil war, and they would be responsible for the consequences. The last and most emphatic warning of this character is contained in the concluding sentence of Mr. Holt's final and admirable answer to Mr. Hayne of the 6th of February. It is as follows: 'If, with all the multiplied proofs which exist of the President's anxiety for peace, and of the earnestness with which he has pursued it, the authorities of that State shall assault Fort Sumter and peril the lives of the handful of brave and loyal men shut up within its walls, and thus plunge our common country into the horrors of civil war, then upon them and those they represent must rest the responsibility.' This letter has been published, but seems to have been forgotten. I perceive that you are to be President of the great Union meeting. Would it not be well, in portraying the conduct of South Carolina in assailing Fort Sumter, to state that this had been done under the most solemn warnings of the consequences, and refer to this letter of Mr. Holt? Nobody seems to understand the course pursued by the late administration. A quotation from Holt's letter would strengthen the hands of the present administration. You were a member of the Cabinet at its date, and I believe it received your warm approbation. Hence it would come from you with peculiar propriety.

"Had I known you were about to visit Washington on the business of the Treasury, I should have urged you to call at Wheatland on your return. You would then, as you will at all times, be a most welcome visitor.

"They talk about keeping secrets. Nobody seems to have suspected the existence of an expedition to re-enforce and supply Fort Sumter at the close of our administration.

"The present administration had no alternative but to accept the war initiated by South Carolina or the Southern Confederacy. The North will sustain the administration almost to a man: and it ought to be sustained at all hazards.

"Miss Hetty feels very much indebted to you, and you are frequently the subject of kindly remembrance in our small family circle. Please to present my kind regards to Mrs. Dix.

"From your friend always,

"JAMES BUCHANAN.

"General JOHN A. DIX."

No one who lived in those days can forget with what suspense the country watched the course of events at Charleston. Fort Sumter was the focus of all eyes, South and North. Neither side dared to stir. The new administration appeared, for the time, to have no settled policy; it was waiting to see to what length the Secessionists would proceed. The general impression was that Fort Sumter would be evacuated; it had become next to impossible to re-enforce it. The government could not have re-enforced it without appearing to strike the first blow; it dared not do that. The Southern Confederacy were also procrastinating—perhaps with a view to perfect their plans on Virginia and Maryland, including the occupation of the national capital by a *coup de main*. At this time the following correspondence took place between General Dix and Major Anderson, to which reference is made in the foregoing letter from Mr. Buchanan, of April 19:

"Washington, March 4, 1861.

"MY DEAR MAJOR,—I have just come from the inauguration of Mr. Lincoln, and in a day or two more I expect to be relieved from my duties as Secretary of the Treasury and return to my family, after my short, but laborious and responsible, term of official service. I shall send you, by the same mail which takes this note, an answer to a call made upon me by the House of Representatives for information in regard to certain transactions in the extreme Southern States. It discloses demoralization in all that concerns the faithful discharge of official duty which, if it had pleased God, I could have wished never to have lived to see. The cowardice and treachery of General Twiggs is more disheartening than all that has transpired since this disgraceful career of disloyalty to the government commenced. No man can help feeling that he is himself stained in reputation by this national degradation. I can hardly realize that I am living in the age in which I was born and educated.

"In the midst of these evidences of degeneracy—in the face of the humiliating spectacle of base intrigues to overthrow the government by those who are living upon its bounty, and of a pusillanimous or perfidious surrender of the trusts confided to them—the country turns with a feeling of relief, which you cannot understand, to the noble example of fidelity and courage presented by you and your gallant associates. God knows how ardently I wish you a safe deliverance! But let the issue

be what it may, you will connect with your name the fame of historical recollections, with which life itself can enter into no comparison. One of the most grateful of my remembrances will be that I was once your commanding officer.

"I write in haste, but from the heart, and can only add, may God preserve you and carry you in triumph through the perils of your position! I have never doubted, if you were assailed, that the honor of the country would be gloriously vindicated, and the disgrace cast upon it by others would be signally rebuked by your courage and constancy.

"I am, my dear Major, faithfully your friend,

"JOHN A. DIX.

"Major ROBT. ANDERSON.

"P.S.—It is gratifiying to know that your State remains faithful to the Union.

"My kind regards to Lieutenant Hall."

"Fort Sumter, S. C., March 7, 1861.

"Hon. General JOHN A. DIX, Washington, D. C.,—Thank you—many thanks to you—for your whole-souled letter of March 4. One such letter is enough to make amends for a life of trial and of discomfort.

"I regret that the change of administration deprives the country of your services and of those of Mr. Holt. I felt, while you two were members of the Cabinet, that, whenever I should need assistance, it would be sent promptly and in full force.

"My position is not a very enviable one; but still, when I consider how God has blessed me at every step I have taken here, I have not the least fear of the result. I have written to the department very fully, and the administration now know my opinion, and the opinion of each individual officer of this command, of the strength of the force necessary for forcing an entrance into this harbor.

"You speak of the disgraceful incidents developed in your report to Congress. I had already read some of your correspondence, and was shocked at the developments they made. The faithful historian of the present period will have to present a record which will sadden and surprise. It would seem that a sirocco, charged with treachery, cunning, dishonesty, and bad faith, had tainted the moral atmosphere of portions of our land. And, alas! how many have been prostrated by its blast!

"I hope that, ere long, we shall see symptoms of restoration, and that a healthier wind will recover some of those who have given way to the blast. A long life of honest devotion to every duty, moral and social, may cause their course to be forgiven, but it cannot be forgotten.

"The South Carolinians are on the *qui vive* to-night—why, we know

not. They have four guard-boats in the stream instead of the usual number of late—two. I cannot believe, though, that General Beauregard, lately of the Engineer Corps, would make an attack without having given formal notice of his intention to do so. My rule is, though, always to keep a bright lookout.

"With many thanks, my dear General, for your most kind and welcome letter, I am, as ever, your sincere friend, ROBERT ANDERSON."

On Sunday, April 14, the fact became known that Fort Sumter had surrendered. The excitement created by the bombardment of that fortress and its magnificent defence by Anderson was prodigious. The outrage on the Government of the United States thus perpetrated by the authorities of South Carolina sealed the fate of the new-born Confederacy and the institution of slavery. Intelligent Southerners at the North were well aware of the consequences which must follow. In the city of New York a number of prominent gentlemen devoted to the interests of the South, and desirous to obtain a bloodless dissolution of the Union, were seated together in anxious conference, studying with intense solicitude the means of preserving the peace. A messenger entered the room in breathless haste with the news: "General Beauregard has opened fire on Fort Sumter!" The persons whom he thus addressed remained a while in dead silence, looking into each other's pale faces; then one of them, with uplifted hands, cried, in a voice of anguish, "My God, we are ruined!"

The North rose as one man. The question had been asked by those who were watching events, "How will New York go?" There were sinister hopes in certain quarters of a strong sympathy with the secession movements; dreams that New York might decide on cutting off from the rest of the country and becoming a free-city. These hopes and dreams vanished in a day. The reply to the question how New York would go was given with an energy worthy of herself.

The 15th of that month brought President Lincoln's proclamation and the call for 75,000 men — a bagatelle, as it proved, compared with the number required; but the figures

seemed enormous to the popular eye, and the demand set the whole city in a blaze. Never to my dying day shall I forget a scene witnessed on Thursday of that week. A regiment had arrived from Massachusetts on the way to Washington, *via* Baltimore. They came in at night; and it was understood that, after breakfasting at the Astor House, the march would be resumed. By nine o'clock in the morning an immense crowd had assembled about the hotel: Broadway, from Barclay to Fulton Street, and the lower end of Park Row, were occupied by a dense mass of human beings, all watching the front entrance, at which the regiment was to file out. From side to side, from wall to wall, extended that innumerable host, silent as the grave, expectant, something unspeakable in the faces. It was the dead, deep hush before the thunderstorm. At last a low murmur was heard; it sounded somewhat like a gasp of men in suspense; and the cause was, that the soldiers had appeared, their leading files descending the steps. By the twinkle of their bayonets above the heads of the crowd their course could be traced out into the open street in front. Formed, at last, in column, they stood, the band at the head; and the word was given, "March!" Still dead silence prevailed. Then the drums rolled out the time —the regiment was in motion. And then the band, bursting into full volume, struck up—what other tune could the Massachusetts men have chosen?—"Yankee Doodle." I caught about two bars and a half of the old music, not more. For instantly there arose a sound such as many a man never heard in all his life and never will hear; such as is never heard more than once in a lifetime. Not more awful is the thunder of heaven as, with sudden peal, it smites into silence all lesser sounds, and, rolling through the vault above us, fills earth and sky with the shock of its terrible voice. One terrific roar burst from the multitude, leaving nothing audible save its own reverberation. We saw the heads of armed men, the gleam of their weapons, the regimental colors, all moving on, pageant-like; but naught could we hear save that

hoarse, heavy surge—one general acclaim, one wild shout of joy and hope, one endless cheer, rolling up and down, from side to side, above, below, to right, to left: the voice of approval, of consent, of unity in act and will. No one who saw and heard could doubt how New York was going.

After that came events the account of which fills volumes of records of our national history. The ebb of the tide was over; the waters were coming in with the steadiness and momentum of a flood which bears everything before it.

Among the memorable acts of that epoch was the formation of the Union Defence Committee, on the 20th of the month. Its objects are stated in a circular, which also gives the list of the first officers of that association:

"Union Defence Committee of the City of New York,
"No. 30 Pine Street, April 24, 1861.

"SIR,—At a meeting of the citizens of New York, held on Saturday, 20th instant, a committee was appointed to represent the citizens in the collection of funds, and the transaction of such other business in aid of the movements of the government as the public interests might require.

"The undersigned have been appointed a Committee of Correspondence, in behalf of the General Committee constituted at the public meeting, and take leave respectfully to say that they will be happy to receive any communications of information, advice, or suggestion on the subject of the present state of public affairs, and to convey any information which they possess or may receive that will advance the public interests.

"With this view they subjoin a copy of the organization of the UNION DEFENCE COMMITTEE and the address of each member of the Committee of Correspondence, and beg that any subject of interest may be communicated, either by mail or by telegraph, to any member of the General Committee, and they promise immediate attention thereto.

"They beg to be advised of the organization of any similar committees of citizens with which they may put themselves in communication.

"With great respect, your obedient servants,

"HAMILTON FISH,
WILLIAM M. EVARTS,
EDWARDS PIERREPONT,
JAMES T. BRADY,
JOHN J. CISCO,
} Committee of Correspondence.

"N.B.—The Committee has rooms at No. 30 Pine Street, open all day; and at Fifth Avenue Hotel, open in the evening."

Committee.

JOHN A. DIX,
MOSES H. GRINNELL,
ROYAL PHELPS,
WILLIAM E. DODGE,
GREENE C. BRONSON,
WILLIAM M. EVARTS,
JOHN J. CISCO,
JAMES T. BRADY.
SIMEON DRAPER,
JAMES S. WADSWORTH,
ISAAC BELL,
JAMES BOORMAN,
ABIEL A. LOW,
THEODORE DEHON,
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EDWARDS PIERREPONT,
RICHARD M. BLATCHFORD,
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JAS. T. BRADY, No. 111 Broadway,
JOHN J. CISCO, No. 52 Wall Street.

The work of this Committee was prodigious. It raised money for the prosecution of the war, provided supplies of all kinds for the army, and equipped and sent off ten regiments. It was for the time being the executive arm of the State and National Governments, and gave to the efforts of our citizens the needed method and direction, concentrating the energies of the people and raising them to the highest grade of efficiency.

Next came the great meeting held in Union Square on the 24th of the same month. That the government was regarded as in imminent peril is evident from contemporary documents. A letter from Mr. Stanton expresses what was, no doubt, the general impression:

"Washington, April 23, 1861.

"DEAR SIR,—This will be handed you by Mr. Andrews, with whom you are acquainted. He will inform you of the state of affairs here: they are desperate beyond any conception.

"If there be any remedy—any shadow of hope to preserve this government from utter and absolute extinction—it must come from New York without delay. Yours truly,

"EDWIN M. STANTON.

"HON. JOHN A. DIX."

The meeting was held on the following day. It was immense in numbers, and without distinction of party. The feeling was enthusiastic, the moral effect tremendous. Among the speakers were General Dix, Daniel S. Dickinson, Senator Baker of Oregon; Robert J. Walker, formerly Secretary of the Treasury; Fernando Wood, ex-Mayor; Ward Hunt, ex-Governor of the State; Judge Brady, and other representative men. The address of General Dix had a special significance, from his relation to Mr. Buchanan's administration. In the course of his remarks he said:

"It is important that we should clearly understand the position of the late administration on this question. It is due to this administration as well as the last that we all should understand it. I shall be very brief, but I must ask your close

attention for the few moments that will be needed. On the 3d of December last, in his Annual Message to Congress, the late President made a strong and unanswerable argument against the right of secession. He also indicated his purpose to collect the revenue and defend the forts of South Carolina. In a special Message to Congress on the 8th of January he declared (I use the language of the Message): 'The right and the duty to use military force defensively against those who resist the Federal officers in the execution of their legal functions, and against those who assail the property of the Federal Government, are clear and undeniable.' The authorities of South Carolina were repeatedly warned that if they assailed Fort Sumter it would be the commencement of civil war, and they would be responsible for the consequences. The last and most emphatic of these warnings is contained in the admirable answer of Mr. Holt, Secretary of War, to Mr. Hayne, the Commissioner from South Carolina, on the 6th of February. It is in these words: 'If, with all the multiplied proof which exists of the President's anxiety for peace, and of the earnestness with which he has pursued it, the authorities of that State shall assault Fort Sumter, and peril the lives of the handful of brave and loyal men shut up within its walls, and thus plunge our common country into the horrors of civil war, then upon them and those they represent must rest the responsibility.' I believe the letter from which I have read this extract has never been published. As a member of the administration at the time it was written, I have a right to say that it had the cordial approval of the late President and all his constitutional advisers. And this brings me to the point I wish to make. I violate no confidence in making it. It is this: If South Carolina had tendered war to the late administration, as she has to this—I mean by a hostile and deadly assault—it would have been unanimously accepted."

The account of the proceedings at that great meeting occupies no less than thirty-six pages, fine print, double column,

royal octavo, in the "Rebellion Record." Nothing equal to it had ever been seen in New York; nothing like it may ever be seen again. The presence of Major Anderson, the gallant defender of Fort Sumter, awakened an indescribable enthusiasm; he was welcomed with reiterated and incessant applause. Men of all ranks, professions, and creeds united in the demonstration. The venerable Dr. Spring, of the Presbyterian Church, and the Rev. Dr. Francis Vinton, of Trinity Parish, were among those who offered prayer at the several stands—for the meeting occupied and filled the whole square—and Archbishop Hughes, at that time the head of the Roman Catholic Church in this city, and one of the shrewdest and ablest of prelates, addressed a cordial letter to the chairman, expressing sentiments in harmony with the general feeling.

About this time General Dix gave a reception to Major Anderson, at his residence in Twenty-first Street. The assemblage was a notable one: among the guests present were the Right Rev. Bishop Potter, Archbishop Hughes, Messrs. Thurlow Weed, Fernando Wood, George Bancroft, Royal Phelps, Robert B. Minturn, William Butler Duncan, William B. Astor, Daniel Lord, Samuel B. Ruggles, John Van Buren, Henry J. Raymond, George Folsom, George Baxter, and August Belmont. The gallant Major was the hero of those stirring days. He bore his honors with characteristic modesty; nay, his care-worn look and anxious features attested the violence of the struggle through which he had passed, and the intense suffering of those weeks which had tried the very fibre and marrow of the honest and loyal gentleman's soul.

The President's call for troops was immediately followed by similar calls from the Governors of the States. In this State it was decided to appoint four major-generals, to command the forces about to be raised or already in the field. On Sunday, May 5, as we walked home from church, my father told me that he had been offered a commission as one of those four, and had determined to accept it and go to the field. On arriving at my house, in Charlton Street, he read

me his letter of acceptance. It was a great shock, of course; it seemed as if all were breaking up. My youngest brother, Charles Temple Dix, commissioned as captain, and on the staff of General Curtis, commander of a brigade already raised in this city, was to become one of my father's aides-de-camp. All this brought the public trouble home to us in the most direct manner.

The official order was published on Wednesday of that week:

"General Head-quarters, State of New York,
Adjutant-general's Office, Albany, May 8, 1861.

"*General Orders No.* 33.

"Under the provisions of the act of April 16, 1861, and of General Order No. 13, issued pursuant thereto, John A. Dix, of New York, is hereby appointed a Major-general of the volunteer force called for from this State in compliance with the requisition of the President of the United States.

"General Dix is, until farther orders, assigned to the command of the volunteer troops in and about the city of New York.

"By order of the Commander-in-chief.

"J. MEREDITH READ, Jr., Adjutant-general."

General Dix's division consisted of the first seventeen regiments of the New York troops. His head-quarters were at the State Arsenal on Seventh Avenue. By his general orders colonels of regiments were required to hold their commands in readiness to move at a day's notice, and, until marching orders were received, to see that their men were instructed at least six hours a day in the school of the soldier, and in company and battalion drill.

The following resolutions were adopted by the Union Defence Committee, in connection with a report showing the aid rendered by it in equipping twenty-two regiments for the field:

"*Resolved*, That this Committee tender their warmest thanks to Hon. John A. Dix for the prompt, efficient, courteous, and patriotic discharge of his arduous duties as chairman of this Committee; that, while we deeply regret his resignation and the consequent loss of his counsels, we nevertheless rejoice ourselves, and congratulate the Government, that the

services of Major-general Dix have been secured in the army for the defence of the integrity, the glory, and the liberties of our country.

"*Resolved*, That in General Dix we recognize a patriot worthy of his patriot sires. That we desire to express our confidence in the eminent ability and fitness of General Dix to fill the high command to which he has been called, and that there will go with him to the field of conflict the pride, the hopes, the sympathies, and the prayers of every member of this Committee."

General Dix, having accepted his military appointment, desired to be ordered to the scene of hostilities as soon as possible. In this particular, however, delays occurred in consequence of misunderstandings between the State and General Governments as to the precise position of officers commissioned by the former, but serving under the orders of the latter. I also have my suspicions that there was, as usual, more or less of intrigue behind the scenes. His uneasiness as to his own position became very great. Governor Morgan had given him the command of the First Division of New York State Volunteers, an appointment made with the knowledge and approval of the authorities at Washington. He had reported to General Scott, who was in command of the forces concentrating in and around the capital. An officer of the regular army had been assigned to him as his division inspector. With characteristic energy he had equipped and sent off regiment after regiment, all in perfect condition and admirably provided for. By the 6th of June his command were all off. He meanwhile was left without men and without orders. Twice he wrote to Washington, receiving no answer: the government had taken his regiments, and left him at home with nothing to do. That he felt insulted and humiliated was not strange. I remember being at the house in Twenty-first Street one day early in June. He read us a farewell address to his division; he was exceedingly moved; he could hardly get through it; his voice shook, his hand trembled, his eyes were full of tears. His earnest wish was to be ordered to the field immediately, and, if possible, to the front:

at that moment he was under apprehensions that he might be overlooked or supplanted, and kept at home inactive.

The impression among the young and inexperienced—a delusion shared by some older heads—was that the war would be exceedingly brief, a fine frolic, full of glory and soon over; that all we had to do was to dash forward, seize Richmond, hang Mr. Davis, and return flushed with victory and crowned with bays. An enthusiastic young soldier of the Seventh Regiment told me that in his opinion the grand difficulty would be to catch the Virginians and make them show fight; he added that our men were being taught to dive and swim under water, like otters, in hopes of catching the enemy when they took to the rivers in flight. Little else could be heard but wild talk of that kind; the air was filled with the cry, "*On to Richmond!*" and the aspirants after military glory, full of conceit and vaporing with intoxicating dreams, aimed at keeping the older men in the rear, lest they might be robbed of some of their renown. This accounts in part for the treatment which General Dix received at that particular time: he, like others, was to be kept back among the unnecessary lumber while the gay and festive young brigadiers brought the six-weeks' war to a close.

But ere long the popular dream came to an end in a sober realization of the grim and horrible realities before the nation. Wise men knew even then the danger of the country, and quietly bided the hour when their services must be had. The following letter from Mr. Stanton shows what was thought in certain quarters respecting the state of affairs at the capital, just before the disastrous move toward Richmond and the appalling shock received at Bull Run:

"Washington, June 11, 1861.

"MY DEAR SIR,—It gives me great pleasure that in the midst of arduous duties you still bear me in kind remembrance. The meeting of the 24th of April in New York has become a national epoch; for it was a manifestation of patriotic feeling beyond any example in history. To that meeting, the courage it inspired, and the organized action it produced, this Government will owe its salvation, if saved it can be. To

the general gratification of the country at your position as Chairman of the Union Committee, there was added in my breast a feeling of security and succor that until that time was unknown. No one can imagine the deplorable condition of this city, and the hazard of the Government, who did not witness the weakness and panic of the administration, and the painful imbecility of Lincoln. We looked to New York in that dark hour as our only deliverance under Providence, and, thank God, it came. The uprising of the people of the United States to maintain their government and crush rebellion has been so grand, so mighty in every element, that I feel it a blessing to be alive and witness it. The action of your city, especially, filled me with admiration, and proves the right of New York to be called the Empire City. But the picture has a dark side —dark and terrible—from the corruption that surrounds the War Department, and seems to poison with venomous breath the very atmosphere. Millions of New York capital, the time, strength, and perhaps lives, of thousands of patriotic citizens will be wanted to gorge a ravenous crew. On every side the Government and the soldiers are pillaged. Arms, clothing, transportation, provisions, are each and all subjects of peculation and spoil. On one side the waves of treason and rebellion are madly dashing; on the other is a yawning gulf of national bankruptcy. Our cause is the greatest that any generation of men was ever called upon to uphold—it would seem to be God's cause, and must triumph. But when we witness venality and corruption growing in power every day, and controlling the millions of money that should be a patriotic sacrifice for national deliverance, and treating the treasure of the nation as a booty to be divided among thieves, hope dies away. Deliverance from this danger also must come from New York. Those who are unwilling to see blood shed, lives lost, treasure wasted in vain, must take speedy measures to reform the evil before it be too late.

"Of military affairs I can form no judgment. Every day affords fresh proof of the design to give the war a party direction. The army appointments appear (with two or three exceptions only) to be bestowed on persons whose only claim is their Republicanism—broken down politicians without experience, ability, or any other merit. Democrats are rudely repulsed or scowled upon with jealous and ill-concealed aversion. The Western Democracy are already becoming disgusted, and between the corruption of some of the Republican leaders, and the self-seeking ambition of others, some great disaster may soon befall the nation. How long will the Democracy of New York tolerate these things?

"The navy is in a state of hopeless imbecility, and is believed to be far from being purged of the treachery that has already occasioned so much shame and dishonor.

"In respect to domestic affairs, Mrs. Stanton and I hoped to visit New York last month, but the critical state of affairs made it hazardous to leave our children, and we could not take them with us. With the enemy still at our gates we cannot venture to leave home. We hoped to see you here, especially after you had accepted the appointment of Major-general. But now that the administration has got over its panic, you are not the kind of man that would be welcome. There are many details that I could give you in respect to proceedings here, but it is painful to think of them, and to write them down would be a tedious and disgusting task. *I* hope our cause may triumph despite the low passions and mean intellects that now weigh it down. But whatever may be our fate, I shall always be happy to be esteemed your friend. Mrs. Stanton and your pet are well, and join in expressions of regard.

"Yours truly, EDWIN M. STANTON.

"Hon. JOHN A. DIX."

In conversation with me on the 8th of June my father spoke of the state of affairs at Washington and Albany. His mind had been relieved of personal anxiety, for he then knew that his commission as Major-general in the Army of the United States was coming, and that his wish to go to the front would be soon gratified; at the same time his view of public affairs was aught but sanguine; he predicted that we were on the eve of great disasters. He told me, at the same time, that he had drawn a plan of campaign and submitted it to an old army friend (I think it was General Scott); it contained the plans and combinations which he regarded as most likely to insure success. He treated the idea of an easy conquest of the Southern forces and an instant advance on Richmond with contempt. His plan—which I copied from the memorandum in his own handwriting at the time—was this:

1.

"No aggressive movement in the field before next November.

2.

"Strict blockade of Southern coast from Norfolk to the mouth of the Mississippi.

3.

"Formation of camps of instruction for thorough drill of volunteers for four months.

4.

"Fifty thousand men to garrison Washington, with proportionable forces at Fortress Monroe, in Western Virginia, and on the Ohio River.

5.

"In November concentration of a column of 100,000 men at Washington, and a similar column on the Ohio.

6.

"Simultaneous movement of both columns Southward.

7.

"No guerilla warfare, and no skirmishing, in the mean time, in any direction."

It is obvious that the difficulty in the way of this plan was the characteristic impatience of our people, who, as some one has observed, "wish and expect everything to be done in twenty minutes." What a hard schooling in patience they had before they got through! How were they made to sow in tears ere they could reap in joy!

Soon after that the commission came, and on the 19th of June the following telegram was received from Washington:

"Head-quarters Army, Washington, June 19, 1861.

"*Major-general John A. Dix, 3 West Twenty-first Street:*

"Come to me at the first convenient moment. I shall charge you with the command of the Alexandria and Arlington Department, the next to the enemy, containing five brigades. I shall do what I can to give you some regular staff-officers. Bring horses with you.

"WINFIELD SCOTT."

My father left us on the 24th of June (St. John Baptist's Day) for the seat of war: he took with him my youngest

brother, Charles Temple, who had been commissioned as First Lieutenant in the Fourteenth Regiment U. S. Infantry, his father's and grandfather's old regiment. General Dix was to command in Virginia, with five brigades, under Generals McDowell, Runyon, and Tyler, and Colonels Hunter and Heintzelmann. The public were shouting for an immediate advance. General Scott well knew the folly of the idea; he knew that General Dix was of the same mind, and that he was not a man to yield to clamor. Had those officers been able to control the progress of affairs, the shameful history of the next four weeks would not have been told.

But they could not control it. Before General Dix had arrived in Washington an intrigue had begun to remove him from the command of the forces in Virginia, and send him into retirement at Baltimore, a place then considered quite as secure as New York. To that end falsehoods were industriously circulated, such as these: that he was an aged and very feeble man, that he was physically incapable of active duty, and that a chronic affection of the spine prevented him from riding on horseback; with other inventions of the kind, disgraceful to their author and propagators. The story about the affection of the spine was believed by President Lincoln, who subsequently told my father that that was his reason for keeping him in comparative inaction at the outset. However, the General had an opportunity some time afterward of taking a quiet revenge on some of those persons who had set it afloat. I take the account from one of his letters written in June, 1862, when in command at Fortress Monroe:

"Yesterday I went with Charley and Barstow* to Suffolk. We left at 9 A.M., and returned at 7 P.M. I reviewed four regiments, a squadron of cavalry, and a battery of artillery. Generals M—— and W—— were present, and accompanied me, with their staff. The former was at Washington when ——'s friends got up the calumny about horseback exercise,

* Major Wilson Barstow, of the staff.

and spoke of my inability, no doubt innocently. I did not, I assure you, neglect the opportunity. I rode from encampment to encampment on the hardest gallop, through woods, over corduroy roads, and ditches, with the escort far in the rear. After three hours we got back, the horses in a foam, and their riders in a red heat. Charley heard General M——'s adjutant-general say, 'How like the devil General Dix rides!' And another officer, 'What does he mean by going at such a rate?' General M—— said to me, 'You have given us a hard ride.' 'Oh no, this is nothing,' I said; 'but you need a man who can't ride to come here occasionally and stir you up.' He understood it, and replied, 'I know what you allude to, and I must say it was the meanest thing I ever knew.' All this was in the middle of the day, and on the confines of the Dismal Swamp."

The intrigue to which I refer, and of which the baseness may be inferred from that specimen of the instruments employed, was successful. Instead of being placed in command across the Potomac, General Dix, to his chagrin, found himself about to be ordered to a position in the rear, and sequestered within the walls of Fort McHenry, lest certain ambitious juniors might miss the opportunity of showing how easy it was to take Richmond, and lest the demand of the army and the country for an immediate and overwhelming crush of the Rebellion should not be promptly gratified. As it happened, though they never dreamed of it at the time, in less than a fortnight Baltimore became a post of extreme importance, and no officer in the army had greater responsibilities suddenly thrown upon him than he whom his political enemies had decided on sending there, to get him out of sight and out of mind.

On the 24th of July, General Dix succeeded General Banks in the command of the Department of Maryland, the latter officer having been transferred from Annapolis to Northeastern Virginia. On the following day the Northern and Southern forces met at Bull Run. The result of that battle,

however humiliating to the North, was eminently salutary. Such an opening of blind eyes was rarely, if ever, known before. Shocked, stunned, demoralized, routed, our forces fell back in confusion; and thus ended the first assault on the first spur of the immense works at Manassas Junction, which constituted, substantially, a mere outpost of the fortifications of the city whose instant capture had been so impatiently demanded. The melancholy, the mortification, the misery of the Northern people were extreme; and with these sentiments came a sense of peril which soon overpowered other emotions.

At that particular time the State of Maryland was substantially the military base of the operations on the Potomac. The loss of Baltimore would have been the loss of Maryland; the loss of Maryland would have been the loss of the national capital, and, perhaps, if not probably, the loss of the Union cause. The position of General Dix, therefore, became one of the utmost responsibility, and the interests confided to him were immense. Maryland had a loyal Governor, and the Legislature included a good number of Union men; but so strong were the sympathies of the people with secession, and so able and influential were its leading advocates, that nothing could have saved the State but the prompt application of the most vigorous measures, and the exercise of powers only to be employed in extreme peril. Nothing could have been more critical than the condition of affairs when General Dix took command at Baltimore: that he was successful, not only in saving the State to the Union and keeping the turbulent city quiet, but also in organizing his Department so thoroughly as to render any future movements in the interest of secession futile, are facts which reflect honor on him both as a statesman and as a soldier.

The disastrous repulse of our forces at Bull Run carried the hopes of the Secessionists to the highest pitch, and depressed the loyalists almost to the line of panic. Baltimore was ripe for revolt; the Confederate colors were worn in the

streets, the Confederate flag was displayed; reports, apparently well-founded, were in the air that a strong force was rapidly advancing to liberate Maryland and cut off the city of Washington. General Banks, who had been previously in command, was ordered to the Valley of Virginia, to take command of the forces under Major-general Patterson, and General Dix immediately relieved him, on the 24th day of July, making Fort McHenry his head-quarters.*

His first act, after adopting such measures as were necessary at the moment for the preservation of the public peace,

* The difficulties and embarrassments which our commanding officers had to overcome at that early stage of the great conflict may be inferred from the following letter:

"Head-quarters, Department of Maryland.
"Fort McHenry, July 24, 1861.

"*Colonel E. D. Townsend,*

"*Assistant Adjutant-general, Head-quarters of the Army:*

"COLONEL,—I annex a list of the regiments whose term of service is about to expire, and of those which are mustered for three years. General Banks persuaded the Sixth Massachusetts to remain till the 2d of August. I have been to the encampment of the Twenty-second Pennsylvania, whose term expired yesterday, and the men consent to continue in service a week longer. The Thirteenth New York resolved unanimously this morning to go home to-morrow. I have just returned from their camp, and by the most urgent remonstrances and by strong appeals have induced them to stay another week. By the 2d of August there will not be one of the eight first-named regiments in the annexed list left. I shall have only the three last regiments on the list remaining. I must urge the immediate re-enforcement of the troops under my command. There ought to be ten thousand men here and at Annapolis. I would not venture to respond for the quietude of the Department with a smaller number. The late reverse at Manassas has brought out manifestations of a most hostile and vindictive feeling in Annapolis as well as in Baltimore.

"Major-general Banks, on the evening of my arrival here, asked, at my suggestion, for four hundred cavalry. They would, for the special service required, be equal to a full regiment of infantry. I hope they may be furnished without delay. It is understood that a regiment of cavalry leaves New York to-morrow. Can I have a detachment of three or four companies from this regiment, with a field-officer? I will see to the immediate protection of the bridges in all directions.

"I am, very respectfully, yours,

"(Signed) JOHN A. DIX, Major-general commanding."

was to plan a series of defences intended to keep Baltimore under the control of the government forces. Fort McHenry was the only military work. It might have been easily captured by a bold *coup de main* at an early period of the troubles. Colonel Morris, of the regular army, an efficient officer, had, however, a very small force within the walls, and a poor supply of artillery. By putting on a bold face and mounting logs of wood on his walls, which looked enough like cannon to deceive the mob, that gallant officer held off the enemy till he was well supplied with troops and artillery. General Dix, having added to the defences of the fort, and thoroughly armed it, next projected a series of works, which were approved by the War Department, and rapidly constructed under his eye. Of these the most important were on Federal Hill and Murray Hill; the former of those eminences, within the very heart of a dangerous district of the town, soon became transformed into a scientifically constructed and very formidable fortification, covering two and a half acres, and armed with columbiads commanding three-fourths of the entire city. The works on Federal and Murray Hills formed, in connection with Fort McHenry, an equilateral triangle, all bearing upon and supporting each other, and so arranged that the whole city was at their mercy. Strong garrisons occupied these three works; while the approaches to the town were put in a state of defence.

Two principal objects were of urgent importance: 1st, to keep the peace in Baltimore, and paralyze the secession element in that city; 2d, to prevent the Legislature of Maryland from passing an ordinance of secession. The former of these objects was attained by constructing fortifications, as already described, by arresting prominent agitators, by the suppression of disloyal journals, and by the prohibition of demonstrations in favor of the cause of the revolted States. In each of these matters General Dix, by a series of wise measures, was successful; tranquillity was maintained; dangerous persons were prevented from doing mischief; incendi-

ary papers were silenced; the rude were taught good-manners; and the Federal supremacy was maintained throughout the State. It was a bitter disappointment to those who desired what they styled the "emancipation" of Maryland, but my impression is that, upon the whole, the General managed to carry out his difficult programme in such a way as to retain the respect, if not the regard, of the people. Indeed, it was said that it was a subject of congratulation when he was put in command, and that, in comparison with some other officers who had preceded him, he might almost be deemed to have enjoyed a certain measure of popularity. Always courteous, his severest acts carried with them, to the observant and thoughtful, their immediate justification; while the impression was universal that nothing would be done without a sufficient cause.

I recall, in this connection, an incident worth relating; it illustrates the General's firmness as a commander, his sagacity as a statesman, and his equity as a judge. The condition of Baltimore was like that of a volcano intent on eruption; signs pointed distinctly to a terrible outbreak as imminent; and had blood begun to flow in the city it would soon have been flowing all over the unhappy State. What the commanding general would do in case of an outbreak was anxiously asked; the rumor was that in such an event he would shell the town. A deputation of ladies went to Fort McHenry to see him and remonstrate. They were received with the courtesy characteristic of the General in his dealings with the sex. After some conversation he invited them to a walk around the walls. At a certain point they came upon an immense columbiad, the largest in the fort. Here the General stopped and said: "Ladies, there will be no trouble in the city unless it is created by persons of your own social position: the common people will not rise until they see the aristocracy of Baltimore moving. The safety of the town and the lives of its citizens are, therefore, substantially in your hands. Will you oblige me by mounting these steps, looking over the top of that gun,

and noting the place to which it points." The ladies complied, and one exclaimed, "It points to Monument Square!" "Yes," replied the General, "and I now tell you that, if there should be an uprising in Baltimore, I shall be compelled to try to put it down; and *that gun* is the first that I shall fire." There was no rising in Baltimore.

About that time I spent a week with my father in the fort. I found him incessantly occupied; he seemed thoroughly to enjoy the return to army life. The duties of the position filled his mind and heart; his responsibilities were great, but he met them in his usual quiet way, with perfect coolness and self-possession, with indomitable firmness, and with an unwavering faith in the ultimate success of the National arms. He was at work from daybreak till late at night, his only recreations consisting in a horseback ride (on which he was attended by but one orderly) and in rifle-practice, in which he spent a short time every day. His exploits as a crack-shot are well known to those of his old companions who still remain: he could put a dozen shots, one after another, at long range, through a two-inch hole, and cut a plank in two by a series of bullets in horizontal line.

Arrests for political offences were numerous during General Dix's command; they were generally made on orders from Washington, of which I find several among his papers, containing lists of persons who were known to be hostile to the government, or suspected of plotting against it. The number of prisoners at Fort McHenry was so great at one time as to embarrass the General, and lead him to ask to be relieved of the disagreeable duty of entertaining them. Among them was one who seemed to be quite the most remarkable personage of that strange collection. He was the celebrated Thomas, or Colonel Zarvona, commonly known as "the French Lady." He was of one of the first families in Maryland, rich, intelligent, and resolute. His nervous system was much broken by confinement and want of active occupation, and he had the privilege of walking about the garrison

within the walls, on his parole of honor not to attempt to escape. General Dix writes to General McClellan, September 3, 1861:

"Fort McHenry, which has not sufficient room for the accommodation of the number of men necessary to man its guns, is crowded with prisoners. Besides our own criminals awaiting trial or under sentence, we have eleven state prisoners. To this number six more will be added to-morrow. I do not think this is a suitable place for them, if we had ample room. It is too near the seat of war, which may possibly be extended to us. It is also too near a great town, in which are multitudes who sympathize with them, who are constantly applying for interviews, and who must be admitted, with the hazard of becoming the *media* of improper communications, or who go away with the feeling that they have been harshly treated because they have been denied access to their friends. It is very desirable that an end should be put to the dangers on the one hand and annoyances on the other."

Many of these were subsequently transferred to Fort Lafayette, Fort Warren, and other distant posts.

The suppression of the liberty of the Press in the case of certain newspapers published in Baltimore was a war measure, justified only by the extremity of the danger and the magnitude of the interests involved. The measures taken by the General were the subject of careful deliberation and consultation with the authorities at the capital, nor were they adopted without the sanction of the Government. In a letter dated August 16 I find the following sentence:

"Major-general Dix requests me to say to Major-general McClellan that his attention, since he assumed the command of this Department, has been so engrossed by official duties that the course of the Secessionist presses in Baltimore was not noticed by him until the early part of this week. He has been considering whether the emergency would not warrant a suppression of the papers referred to, if, after warning them

of the consequences of a persistence in their hostility to the Union, they should refuse to abstain from misrepresentations of the conduct and motives of the Government, and the publication of intelligence calculated to aid and encourage the public enemy. It was his intention, in a matter of so much gravity—one affecting so deeply the established opinions of the country in regard to the freedom of the Press—to ask the direction of the Government as soon as he should feel prepared to recommend a definite course of action. In the mean time it will give him pleasure to do all in his power to suppress the publication of information in regard to the movements, position, and number of our troops, as Major-general McClellan requests."

Another letter on the same subject was addressed to the Hon. Francis P. Blair:

"Fort McHenry, August 31, 1861.

"MY DEAR SIR,—I have received the letter of the Postmaster of Baltimore, with your endorsement, in regard to the *Exchange* and other Secessionist presses in that city.

"I presume you are not aware that an order for the suppression of these papers was made out in one of the Departments at Washington, and, in consequence of strong remonstrances from Union men in Baltimore, was not issued. Under these circumstances it would not be proper for me to act without the authority of the Government. Any action by me without such authority would be improper for another reason that probably does not occur to you. The command of General McClellan has been extended over the State of Maryland. I am his subordinate, and have corresponded with him on the subject. I cannot, therefore, act without his direction.

"But, independently of this consideration, I think a measure of so much gravity as the suppression of a newspaper by military force should carry with it the whole weight of the influence and authority of the Government, especially when the publication is made almost under its eye.

"There is no doubt that a majority of the Union men in Baltimore desire the suppression of all the opposition presses in the city; but there are many, and among them some of the most discreet, who think differently.

"The city is now very quiet and under control, though my force is

smaller than I asked. There is a good deal of impatience among some of the Union men; they wish to have something done. The feeling is very much like that which prevailed in Washington before the movement against Manassas. It would not be difficult to get up a political Bull Run disaster in this State. If the Government will give me the number of regiments I ask, and leave them with me when I have trained them to the special service they may have to perform, I will respond for the quietude of this city. Should the time for action come, I shall be ready. In the mean time preparation is going on. I am fortifying Federal Hill under a general plan of defence suggested by me and approved by General Scott. Two other works will be commenced the moment I can get an engineer from Washington.

"On the Eastern Shore there should be prompt and decisive action. I have urged it repeatedly and earnestly during the last three weeks. Two well-disciplined regiments should march from Salisbury, the southern terminus of the Wilmington and Delaware Railroad, through Accomac and Northampton Counties, and break up the rebel camps before they ripen into formidable organizations, as they assuredly will if they are much longer undisturbed. No man is more strongly in favor of action than I am; but I want it in the right place. We are in more danger on the Eastern Shore than in any other part of the State.

"I am, dear Sir, sincerely yours, JOHN A. DIX."

The following is a portion of a letter on the same subject, written at Fortress Monroe, July 12, 1862, and addressed to the general officer then in command at Norfolk, Virginia:

"I agree with you as to the freedom of the Press in these times and localities. But we must get along with it. If we cannot succeed with it, I think it quite clear that we cannot without it. Besides, I have always great reluctance to take retrograde steps. Therefore you must let the newspapers publish what nonsense they please, but make the people of all classes behave themselves. The *Norfolk Union* is certainly very indiscreet, and I wish you could teach the editors the value of prudence. I talked with one of them in regard to an article which ought not to have been published, and was satisfied that his intentions were unexceptionable."

The summer of 1861 was passed in great anxiety; depression prevailed throughout the loyal States. In an official and

confidential letter dated at the Head-quarters of the Army of the Potomac, September 12, General McClellan wrote as follows:

"I have telegraphed to you inquiring about heavy guns, and of what calibre you require. As soon as I know your wants I will direct them to be supplied.

"The enemy is in heavy force in front of us. I do not think he will dare to attack our works on the other side of the river; if he does he will be routed most disastrously. I do not think he will attempt to cross in from below us; it would be a very difficult operation; and I am scouring that whole region thoroughly; so that, with the aid of the strong naval force in the river, I feel but little apprehension in that quarter. I *do* think, however, that the enemy may take the desperate alternative of crossing the river above and moving on Baltimore. The Potomac is so closely watched that they cannot cross south of Harper's Ferry without being observed and strongly opposed.

"I send to-morrow three more regiments, a battery, and some companies of cavalry to General Stone. If the enemy cross above I will at once move on his flank, and force him either to attack me in a position of my own selection, or else attack his column when least prepared to resist.

"The political situation of the rebels may force them to this desperate step. I think that Baltimore can best be covered by increasing the army with which I shall attack him."

The Legislature of Maryland was to have met on the 17th day of September, 1861. It was well known that three-fourths of their number were in favor of joining the Confederate States; and there is little doubt that, if they had assembled and passed an Ordinance of Secession, the State would have been a scene of bloodshed, uproar, and confusion from end to end. To avert these disasters only one course seemed feasible. General Dix gave orders to arrest the members of the Legislature on their way to Frederick City, and farther directed that, in the elections to be held throughout the State

in the following November, the Union men should be so protected as to be free to cast their ballots. These measures were successful; the Legislature did not assemble; and the elections were favorable to the national cause. The last hope of dragging the Commonwealth into the secession movement vanished, and communication between the national capital and the North was permanently secured. Baltimore was, thereafter, one of the most quiet and well-behaved towns on the continent. With strict impartiality the general in command protected the inhabitants from every enemy whom they had reason to dread: from the emissaries and agents of the Confederate Government; from fanatical Unionists, who abused him roundly for checking their excesses; from the roughs and bullies of the city slums; and from the bad conduct of some of the soldiers of the garrison. To this last class the following letter relates:

"Head-quarters, Department of Pennsylvania,
Baltimore, Md., October 21, 1861.

"*Colonel R. B. Marcy,*

"*Inspector-general, Army of the Potomac:*

"COLONEL,—It has occurred to me that it might be interesting to you to know the system adopted in Baltimore to secure the inhabitants from annoyance by the bad conduct of our soldiers and keep our men within their encampments.

"A few days after I took command, in the latter part of July, some three hundred of our men had escaped from their regiments, and were disgracing the service by their drunkenness and disorderly conduct in the city, where most of them were secreted.

"I immediately issued an order to the police to arrest all soldiers found in Baltimore without passes signed by the captains of the companies and the colonels of the regiments to which they belonged; and I adopted very stringent rules in regard to permits to soldiers to leave their camps. In about ten days the absentees were all hunted up in the streets and in their hiding-places and brought back to their regiments. Since that time there has been no repetition of these disorderly scenes. All soldiers arrested in the city are taken to the exterior stations of the police, and guards are sent for them every morning and evening. During the month of September, of about seven thousand men in and around the city, only one hundred and forty were taken in custody by the police,

and of this number fifty-nine belonged to the Second Regiment, Maryland Volunteers, which was recruited in Baltimore.

"The city has never been so free from disorder, disturbance, and crime as it has been during the last sixty days; and during the whole time not a single soldier has been employed in aid of the police. Much is, no doubt, due to the presence of a military force; and it is due to the regiments under my command to say that the orderly conduct both of officers and men has produced an improved feeling among large numbers of citizens who have been exceedingly hostile to the Government. I may say this most emphatically of the Sixth Regiment, Michigan Volunteers, and the Eighth Ward, the most disloyal in the city, within which the regiment is stationed—at the McKim mansion.

"I am, very respectfully, your obedient servant,

"(Signed) JOHN A. DIX, Major-general commanding."

The following graphic picture of the state of affairs in Baltimore was drawn by General Dix in a letter addressed to Secretary Seward, November 16, 1861, and marked "Unofficial." It was written after the State election for Governor, Legislature, and Judiciary, which was held on the 6th day of that month, and resulted in a very strong vote against secession:

"Dr. Coxe, one of the most distinguished of the Episcopal clergy in this city, is a strong Union man. His congregation are the reverse. President Lincoln's Fast-day was scarcely observed. There were from one to two hundred persons in church. Yesterday (Jefferson Davis's Fast-day) it was crowded to overflowing. The attendance is but one manifestation among many of the bitter feeling of the Secessionists here. These people must be held by a hand as inflexible as iron. They are not to be conciliated. I speak of the principal portion of the wealthy classes. They are still as absurd in their confidence in the success of the Confederate cause as they are disloyal to their own government. The least advantage gained over us elates them ridiculously. I am satisfied that no act of clemency on the part of the Government will make any impression on them; and certainly, while they are making daily demonstrations of hostility, they deserve none.

"I feel it my duty to say to you that, notwithstanding the overwhelming vote this State has just given, its quietude depends on prudent management and on the ability of the Government to keep the Confederate forces at a distance. The Union men are, for the most part, the quiet, industrious portions of the people. The Secessionists, on the other hand, are composed of the more active portions, sustained by a large majority of the wealthy and aristocratic citizens of Baltimore (most of whom are connected with the South by marriage and pecuniary interests) and the broken-down politicians, merchants, and spendthrifts, who hope to repair their fortunes by a change of government. The leaders are bold, fierce, and implacable; and if our forces were to be withdrawn from the fortification on Federal Hill, pointing its guns from the heart of the city into every ward and almost every street, and a successful demonstration should be made by the Confederate army on the Potomac, the State and the city would be thrown into commotion by the intrigues of these men. With the strong hand of the Government upon them they cannot conceal their enmity to it. On 'Change to-day, when the news of the capture of Messrs. Slidell and Mason on board a British mail-steamer was announced, they were jubilant with the hope that it would lead to a rupture with Great Britain, and that she would be thrown into the scale of the Confederates. While such a feeling exists, notwithstanding our recent successes, our hold on them cannot be safely relaxed.

"I do not make this letter an official one. But I desire that the President and his Cabinet and Major-general McClellan should know what view I take of the existing status of Secessionism in this city."*

General Dix was impressed with the importance of retaining the works constructed under his direction as a part of the permanent fortifications of Baltimore. His opinion on this

* *See* Appendix VI.

point was expressed in a letter to Major-general Halleck, written some time afterward, when at Fortress Monroe:

"Head-quarters, Seventh Army Corps, Fort Monroe, September 15, 1862.

"*Major-general H. W. Halleck, General-in-chief:*

"GENERAL,—Before I left Baltimore I designed to represent to the Government the importance of making Fort Federal Hill a permanent fortification, but was prevented by my sudden departure. There is now an admirable earthwork, and all that is necessary is to surround it with brick walls and construct casemates within. I do not think an essential alteration of the plan necessary. The ground would probably cost on appraisement $100,000; the work, $250,000; which, in view of the important object to be secured, is a very moderate expenditure.

"The considerations by which this measure is supported are as follows:

"1. The geographical position of Baltimore renders it indispensable that it should be under the control of the Government by military force, in order to insure the quietude and safety of the capital. The direct connection of the two cities, and the preponderance of Baltimore in population, require that the latter should not be left to the dangers arising from popular or political excitement.

"2. There is no city in the Union in which domestic disturbances have been more frequent or carried to more fatal extremes, from 1812 to the present day. Although the great body of the people are eminently distinguished for their moral virtues, Baltimore has always contained a mass of inflammable material, which ignites on the slightest provocation. A city so prone to burst out into flame, and thus become dangerous to its neighbors, should be controlled by the strong arm of the Government whenever these paroxysms of excitement occur.

"3. Fort Federal Hill completely commands the city, and is capable, from its proximity to the principal business quarters, of assailing any one without injury to the others. The hill seems to have been placed there by Nature as a site for a permanent citadel; and I beg to suggest whether a neglect to appropriate it to its obvious design would not be an unpardonable dereliction of duty.

"As I was more than ten months in command at Baltimore, and as Fort Federal Hill and Fort Marshall were undertaken and completed on my recommendation and under my supervision, I trust I shall be excused for these suggestions. General Cullum went over the ground with me before the plan of defence, of which the two forts referred to were the principal parts, was finally adopted, and is familiar with the whole subject. I am, very respectfully, your obedient servant,

"JOHN A. DIX."

The following somewhat spicy letter exhibits in a fine light the General's sense of the importance of a rigorous adherence to the "Rules and Regulations," without respect of persons. It seems that a sentry, while on his post, had fired upon and shot a petty officer, who, though properly challenged, continued to advance, denying the right of the man on guard to stop him. The soldier appears to have been arrested and sent to head-quarters, to be tried on a charge of murder. This case was promptly disposed of in the following characteristic communication:

"Head-quarters, Department of Pennsylvania,
Baltimore, Md., October 1, 1861.

"*Colonel A. Morse, Commanding, Annapolis:*

"COLONEL,—The private who, while on post as a sentinel, shot a corporal who refused to halt when ordered to do so, cannot be tried by a court-martial on the charge sent to me. It is a charge of murder—killing with malice aforethought—and must be tried, if at all, by a civil court.

"I have just heard of a similar case in your regiment near Annapolis Junction, in which a commissioned officer was shot. If the sentinel is sustained in one case he should be in the other. I learn that in the latter the officer acknowledged that the sentinel was right. This acknowledgment does not change the principle. The post of a sentinel cannot be forced. His command must be obeyed. It matters not whether the party to whom it is addressed is known to him or not.

"I was stopped, with two of my staff, some ten days ago, by a sentinel for nearly a quarter of an hour. I announced myself as the commanding general of the department, and he acknowledged that he knew me to be so, but that I must halt. I did so, and sustained him in the execution of his duty. If I had advanced and he had shot me, he would have done right. I fear your officers do not correctly appreciate the duties and responsibilities of sentries. It is time they should.

"I am, very respectfully, yours,
"JOHN A. DIX, Major-general commanding."

The counties of Accomac and Northampton form what is known as "the Eastern Shore" of Virginia. A glance at the map will show the peculiarity of their position; they belong geographically to Maryland, yet they are part of another

State. These counties were included in the act of secession by which, on the 25th of April, 1861, Virginia joined the Confederacy. Great annoyance and injury to the Government were the result of their peculiar position; and on the 31st of July, General Dix, in a despatch to the Secretary of War, recommended an expedition to take possession of them. There were at that time a camp of Secessionists numbering from one to three thousand men in Northampton, the lower of the two counties, and a similar camp in Accomac, with arms and artillery. The enemies of the Government were active and confident throughout that region; an immense traffic in contraband goods was carried on; and, by a system of daily and regular communication between the Confederate commanders in Virginia and their allies in Baltimore, full information was given of the disposition and movement of our forces and the designs of the Government. In view of these facts General Dix deemed it of the utmost importance to recover those counties to the Union. The expedition recommended by him was not undertaken until the month of November following, though his first communication was frequently repeated. The reason alleged was the impossibility of sparing troops; and this was, no doubt, the true cause.

The force employed consisted of about four thousand men, under the command of Brigadier-general H. H. Lockwood. The duty intrusted to that officer was one of the greatest delicacy, requiring a large share of prudence and discretion. It was not doubted that numbers of individuals on the Eastern Shore of Maryland had been led into the support of disloyal measures by gross misrepresentation of the views and intentions of the Government. Among the instructions to General Lockwood are the following:

"While the purpose you have in view should be steadily maintained and carried out with inflexible firmness, those who have been deceived and misled, instead of being confirmed in their prejudices and driven hopelessly off by harshness on our part, should if possible be reclaimed by kind treatment, and

convinced of their error by correcting the misapprehensions under which they labor. If, in spite of all efforts to induce them to discontinue their acts of hostility to the Government, they persist in carrying on correspondence with the enemy and in giving him aid and comfort, they should be arrested and sent to Fort McHenry.

"While all the just rights even of those who are disloyal should be respected, they should be made to feel that no act of open hostility to the Government will be tolerated for a moment.

"Your force is intended for the protection of loyal and peaceable citizens; you will see that it is not perverted by the misconduct of any one under your command to their annoyance. By the 52d Article of the Rules and Articles of War any officer or soldier who quits his post to plunder or pillage subjects himself to the penalty of death. If any man under your command so far forgets what is due to himself, his comrades, or his country, as to commit any outrage on the person or property of any citizen, you will put him in irons, and send him back to these head-quarters, that he may be punished, and no longer dishonor his associates and the profession of arms by his presence among you.

"In your intercourse with the inhabitants you will do all in your power to correct misapprehensions in regard to the intentions of the Government in the war which has been forced on it. Multitudes are laboring under delusions, the fruit of misrepresentation and falsehood, which you may do much to dispel. Our mission is to uphold the Government against treasonable attempts to subvert it. We wage no war with individuals who are pursuing their peaceful occupations, but with those who are in arms against the United States, and those who encourage or aid them in their treason.

"No distinction should be made between the citizens of those counties in regard to the past. The notion has been far too prevalent that the persons and property of Secessionists may be unceremoniously dealt with by commanders

of regiments or corps; and the sooner it is corrected the better.

"You will take especial care not to interfere in any manner with persons held to servitude; and, in order that there may be no cause for misrepresentation or cavil, you will not receive or allow any negro to come within your lines. The people have been led to think that we intend to steal or emancipate their negroes. When these apprehensions are corrected the reaction in our favor must be very great."

Simultaneously with the movement under General Lockwood a proclamation was issued. This I give in full, together with a letter written about the same time to President Lincoln:

"PROCLAMATION.

"*To the People of Accomac and Northampton Counties, Virginia:*

"The military forces of the United States are about to enter your counties, as a part of the Union. They will go among you as friends, and with the earnest hope that they may not, by your own acts, be forced to become your enemies. They will invade no rights of person or property. On the contrary, your laws, your institutions, your usages will be scrupulously respected. There need be no fear that the quietude of any fireside will be disturbed, unless the disturbance is caused by yourselves.

"Special directions have been given not to interfere with the condition of any persons held to domestic service; and, in order that there may be no ground for mistake, or pretext for misrepresentation, commanders of regiments and corps have been instructed not to permit any such persons to come within their lines. The command of the expedition is intrusted to Brigadier-general Henry H. Lockwood, of Delaware, a State identical, in some of the distinctive features of its social organization, with your own. Portions of his force come from counties in Maryland bordering on one of yours. From him and from them you may be assured of the sympathy of near neighbors as well as friends, if you do not repel it by hostile resistance or attack. Their mission is to assert the authority of the United States, to re-open your intercourse with the loyal States, and especially with Maryland, which has just proclaimed her devotion to the Union by the most triumphant vote in her political annals; to restore to commerce its accustomed guides, by re-establishing the lights on your coast; to afford you a free export for the

products of your labor, and a free ingress for the necessaries and comforts of life which you require in exchange; and, in a word, to put an end to the embarrassments and restrictions brought upon you by a causeless and unjustifiable rebellion.

"If the calamities of intestine war, which are desolating other districts of Virginia, and have already crimsoned her fields with fraternal blood, fall also upon you, it will not be the fault of the Government. It asks only that its authority may be recognized. It sends among you a force too strong to be successfully opposed—a force which cannot be resisted in any other spirit than that of wantonness and malignity. If there are any among you who, rejecting all overtures of friendship, thus provoke retaliation, and draw down upon themselves consequences which the Government is most anxious to avert, to their account must be laid the blood which may be shed and the desolation which may be brought upon peaceful homes. On all who are thus reckless of the obligations of humanity and duty, and on all who are found in arms, the severest punishment warranted by the Laws of War will be visited.

"To those who remain in the quiet pursuit of their domestic occupations the public authorities assure all they can give—peace, freedom from annoyance, protection from foreign and internal enemies, a guarantee of all constitutional and legal rights, and the blessings of a just and parental government.

"(Signed) JOHN A. DIX, Major-general commanding.

"Head-quarters, Baltimore, November 13, 1861."

"Baltimore, Md., November 15, 1861.

"*His Excellency A. Lincoln:*

"MY DEAR SIR,—I enclose a proclamation which I have issued to the people of Accomac and Northampton Counties, Va. Its purpose, as will be apparent to you from its tone, is to bring about a peaceable submission on their part. If they resist, they are advised that they may expect severe chastisement.

"The case of these counties is peculiar. They have not engaged in any active hostility to the United States. Their people have never crossed the Maryland line. Their greatest offences are sympathizing with the Richmond leaders, and carrying on an illicit trade with the Western Shore of Virginia. One of their captains fired on a barge belonging to one of our revenue steamers; but the act was disapproved by their leading men. If they can be reclaimed and induced to throw off their connection with the Confederates, it will be a great point gained, especially as the residence of Governor Wise, their former representative,

is in Accomac. And I thought it worth while to make the effort by quieting their fears, in the first place—for they have got it into their heads that we want to steal and emancipate their negroes—and, by giving them the strongest assurances of kind treatment and protection, if they do not resist the authority of the Government, I trust—I ought to say I hope, rather than trust—that they may be gained over without bloodshed. As their case is peculiar I have endeavored to meet it with a remedial treatment adapted to the special phase of the malady of Secession with which they are afflicted.

"I have sent an additional force since my return from Washington. The whole number will be 4500, among them about 3500 as well-disciplined troops as any in the service.

"In my instructions to General Lockwood, who commands the expedition, I have directed him to disarm and make prisoners of all persons found with arms in their hands. I have also enclosed him a copy of the Act of Congress of the 6th of August last, entitled 'An act to confiscate property used for insurrectionary purposes,' the last sentence of which concerns persons held to labor and service; and I have instructed him to enforce its provisions as far as practicable.

"In all I have done in this matter I have had the best interest of the Government in view, and I shall be much gratified if it meets your approbation.

"I have the honor to be, very respectfully, your obedient servant,

"(Signed) JOHN A. DIX, Major-general commanding."

The success of the expedition was complete; its objects were attained, and in the manner desired by the author of the movement. The wisdom of the procedure was justified by the event, and the moral effect was good. There is no doubt that, from the outset, the cause of Secession was forced on reluctant communities by the violence of its promoters; and that, if it had been possible to restore to the people the use of a free suffrage, a condemnation of the measure would have been secured. It was the policy of the Government to give the people an opportunity of expressing their wishes, unawed by the insignia and weapons of the rebellion. Northampton County, at an election held in the month of June, 1861, under the influence of Governor Henry A. Wise, did not give a single vote for the Union. But immediately

after the occupation of the Eastern Shore by the Federal troops an election was held in the two counties, with gratifying results. Out of a voting population of some two thousand the Union candidates received upward of 1200 votes, and all the officers, both State and local, were loyal men. The winning back those people to the cause of the Union was an important service to the nation, and its influence was deeply felt at a perilous crisis in our affairs. Another important object accomplished was the restoration of the lights at Cape Charles and other points on the coast, the extinction of which had been a serious damage to the commercial community.

About this time additional and very onerous duties were thrown upon my father as regards the prisoners of war referred to in the following order:

"War Department, Washington City, D. C., February 27, 1862.

"*It is ordered:*

"1st. That a special commission of two persons, one of military rank and the other in civil life, be appointed to examine the cases of the state prisoners remaining in the military custody of the United States; and to determine whether, in view of the public safety and the existing rebellion, they should be discharged or remain in military custody, or be remitted to the civil tribunal for trial.

"2d. That Major-general John A. Dix, commanding in Baltimore, and the Honorable Edwards Pierrepont of New York, be and they are hereby appointed Commissioners for the purposes above mentioned, and they are authorized to examine, hear, and determine the cases aforesaid, *ex parte* and in a summary manner, at such times and places as in their discretion they may appoint, and make full report to the War Department.

"By order of the President.

"EDWIN M. STANTON, Secretary of War."

I insert here two letters which relate to the subject of the preceding order, and show with what solicitude the responsibility imposed by it was met:

"Head-quarters, Seventh Army Corps, Fort Monroe, Va.,
August 12, 1862.

"*Brigadier-general J. K. S. Mansfield, commanding at Suffolk, Va.:*

"GENERAL,—I have read your instructions to your Provost-marshal, and think them right and proper.

"I was yesterday at Fort Wool, and discharged a large number of prisoners on parole. I found quite a number from Nansemond and Gates Counties, and retain them for the purpose of communicating with you. I examined several of them, and am satisfied that they have committed no act of hostility against the United States. That they sympathize with the insurgents there is no doubt; but if we undertake to arrest all such persons, our forts and prisons would not contain a tithe of them. So long as they continue quietly about their business they should not be molested.

"The exercise of this power of arrest is at the same time the most arbitrary and the most delicate which a state of war devolves on a military commander, and it is one which should not be delegated to a subordinate. I find that many of the persons imprisoned at Fort Wool were arrested by Colonel Dodge, and some of them on suspicion. This must not be repeated. Your subordinates may arrest persons detected in open acts of hostility to the Government. But in every other instance, and in every case, the order for arrest should come from you; or, if an arrest is made in an emergency without your order, the case should be brought directly before you, and the evidence taken before the party is sent here for imprisonment. Two of the persons sent to Fort Wool by you have died within the last three days—one of them Mr. Jordan, the most respectable of all in standing. His body goes to his friends in Norfolk to-day. Imprisonment at Fort Wool is a most severe punishment at this season. The water is bad, and the heat is intense; and no citizen should be sent there for a light cause, and without pretty clear evidence of guilt. If parties in your neighborhood need temporary restraint, you must find some place of safe keeping there, unless the case is very marked.

"My inclination is to discharge all these persons on a stringent parole. But before doing so I await your reply, with your views on any particular case or cases. I am, very respectfully, yours,

"JOHN A. DIX."

"Head-quarters, Seventh Army Corps, Fort Monroe, Va.,
August 16, 1862.

"*Brigadier-general J. K. S. Mansfield, commanding at Suffolk:*

"GENERAL,—I have received your letter of the 14th instant, with a list of prisoners sent by you to Fort Wool, and a brief statement of the charges against them. This is the first specification of their offences I have seen, and I know that several citizens have been sent here without any memorandum of the causes for which they were imprisoned.

"The crimes specified by you as having been committed by Secessionists in general deserve any punishment we may think proper to inflict.

But the first question is, in every case of imprisonment, whether the party has actually been guilty of any offence; and this is a question to be decided upon proper evidence. If the guilt is not clearly shown the accused should be released. There is nothing in your position or mine which can excuse either of us for depriving any man of his liberty without a full and impartial examination. My duties are at least as arduous as yours, and I have never shrunk from the labor of a personal examination of every case of imprisonment for which I am responsible.

"In regard to arrests in your command, there was at least one, and I think more, for which there was not, in my judgment, the slightest cause. I speak from a personal examination of them. The arrests were made without your order, as I understood, but acquiesced in by you subsequently. The parties referred to were released nearly a month ago. Had I not looked into their cases they would, no doubt, have been in prison at this very moment. When Judge Pierrepont and I examined the cases of political prisoners in their various places of custody from Washington to Fort Warren, we found persons arrested by military officers who had been overlooked, and who had been lying in prison for months without any just cause. For this reason, as well as on general principles of justice and humanity, I must insist that every person arrested shall have a prompt examination, and, if it is considered a proper case for imprisonment, that the testimony shall be taken under oath, and the record sent, with the accused, to the officer who is to have the custody of him. This is especially necessary when the commitment is made by a military commission, and the party accused is sent to a distance and placed, like the prisoners at Fort Wool, under the immediate supervision of the commanding officer of the Department or Army Corps. The only proper exception to the rule is where persons are temporarily detained during military movements, in order that they may not give information to the enemy. I consider it my duty to go once in three or four weeks to the places of imprisonment within my command, inquire into the causes of arrest, and discharge all prisoners against whom charges, sustained by satisfactory proof, are not on file. I did not enter into a minute examination of the prisoners sent here by your order, nor did I release any one of them, but referred the whole matter to you for explanation; and it is proper to suggest that an imputation of undue susceptibility on my part, or a general reprobation of the conduct of faithless citizens, for whom when their guilt is clearly shown I have quite as little sympathy as yourself, is not an answer to the question of culpability in special cases. The paper you sent me is very well as far as it goes, but it is no more complete, without a transcript of the evidence on which the allegations are founded, than a memorandum of the

crime and the sentence of a military prisoner would be without the record of the proceedings of the Court. You will please, therefore, send to me the testimony taken by the military commissions before whom the examination was made.

"It is proper to remark here that a military commission not appointed by the commanding General of the Army or the Army Corps is a mere court of inquiry, and its proceedings can only be regarded in the light of information for the guidance of the officer who institutes it, and on whom the whole responsibility of any action under them must, from the necessity of the case, devolve.

"In regard to persons whom you think right to arrest and detain under your immediate direction I have nothing to say. You are personally responsible for them; and, as your attention will be frequently called to them, the duration of their imprisonment will be likely to be influenced by considerations which might be overlooked if they were at a distance. I am, therefore, quite willing to leave them in your hands. But when a prisoner is sent here, and comes under my immediate observation and care, I wish the whole case to be presented to me.

"The Engineer Department has called on me to remove the prisoners from Fort Wool, that the work may not be interrupted. I have sent away all the military prisoners, and wish to dispose of those who are confined for political causes. When I have received from you a full report of the cases which arose under your command I will dispose of them, and send to you all the persons whom I do not release. Or, if you prefer it—and it would be much more satisfactory to me—I will send them all to you without going into any examination myself, and leave it to you to dispose of them as you think right. If you have no suitable guard-house, there is a jail near your head-quarters, where they may be securely confined. I am, respectfully, your obedient servant,

"JOHN A. DIX."

Toward the end of May, 1862, General Dix was transferred from the Department of which he was then in command to Fortress Monroe, at which point he was directed to assume command and report to Major-general McClellan. The order gave rise to no little inquiry and comment: it amounted to removal from the command of a Department, and assignment to a mere army post. Why this was done I am unable to say. The secret history of the war would, no doubt, give the explanation, but this is as yet unwritten.

On departing from Baltimore he had the satisfaction of knowing that he left it, together with the whole Department in which it lay, in perfect order from end to end. The following farewell address was published on the day preceding that on which he assumed his new command:

"Head-quarters, Middle Department, Baltimore, Md., June 1, 1862.

"*General Orders, No.* 14:

"The Major-general commanding, having received orders to repair to Fort Monroe and assume the command at that point, and having but two hours to prepare for his departure, takes leave of the troops under his command in the only mode left to him—through the medium of a General Order.

"Of the corps composing his command when he first assumed it, more than ten months ago, two regiments—the Third New York Volunteers, under Colonel Alford; the Fourth New York Volunteers, under Colonel Taylor; and the regular garrison of Fort McHenry, under Colonel Morris—are all that remain. The admirable discipline of these deserves the highest commendation; and he returns to all his sincere thanks for their promptitude and fidelity in the performance of their duties.

"It is a source of great regret to him that he is compelled to leave without being able to review the regiments of New York Militia—the Seventh, Eighth, Thirteenth, Twenty-second, Thirty-seventh, and Forty-seventh—which, under a second appeal from the Chief Magistrate of the Union, have laid aside their various occupations on the briefest notice, at great personal sacrifice, and, hurrying to the field, are now occupying positions in and around Baltimore. In their patriotism and their devotion to the Government of their country the Union feeling of the city will meet with a cordial sympathy. It is a great alleviation of the regret with which the Major-general commanding parts with them, that he is soon to be succeeded by a distinguished general officer of the regular army from their own State. In the interim the command of the Department devolves on Brigadier-general Montgomery, United States Volunteers.

"The Major-general commanding cannot forbear, in taking leave of the citizens of Baltimore, among whom his duties have been discharged, to express the grateful sense he will ever retain of the aid and encouragement he has received from those of them who have been true, under all the vicissitudes of a wicked and unnatural contest, to the cause of the Union. The ladies of the Union Relief Association are entitled to a special acknowledgment of his obligations to them. It is believed that

the records of philanthropic devotion do not contain a brighter example of self-sacrificing service than that which is to be found in their own quiet and unobtrusive labors. The military hospitals have, from the commencement of the war, borne unceasing testimony to their untiring zeal and sympathy. The wounded prisoners of the insurgent army have, like our own, been solaced in their dying hours by the ministrations of these devoted ladies: nobly suggesting to the misguided masses who are in arms against the Government that suffering humanity, under whatever circumstances it may present itself, has the same claim on our common nature for sympathy and ministering care. And it is to be hoped that this lesson of magnanimity may not be without its proper influence on those who, under the influence of bad passions, seem to have lost sight of their moral responsibility for indifference and cruelty.

"It is a source of great gratification to the Major-general commanding that in the eight months during which the municipal police was under his control no act of disorder disturbed the tranquillity of the city, and that the police returns, compared with those of a corresponding period of the previous year, exhibit a very great reduction, in some months as high as fifty per cent., in the aggregate of misdemeanors and crimes. The police having on the 20th of March last been surrendered to the city authorities, they have since then been responsible for the preservation of the public order. The zeal and promptitude of the Police Commissioners and Marshal of Police on the occurrence of a recent disturbance, provoked by a brutal expression of disloyal feeling, gives earnest of their determination to arrest at the outset all breaches of the public peace, which, by whatever provocation they may seem to be palliated, are sure to degenerate, if unchecked, into discreditable and fatal excesses.

"The Major-general commanding, with this imperfect acknowledgment of his obligations to the loyal citizens of Baltimore and their patriotic defenders, tenders to them all, with his best wishes, a friendly and cordial farewell.

"By order of Major-general Dix.

"DANL. T. VAN BUREN, Colonel and Aide-de-camp."

On arriving at Old Point Comfort the General's first act was to relax annoying restrictions which then existed upon the trade with Norfolk. He ordered that provisions might thenceforth be taken to that town, and to Portsmouth, by any persons, on their exhibiting a manifest, and getting a permit from the military authority at the port, on the sole condition that the goods should be sold at their market price in Balti-

more. It was an immense relief, and caused great rejoicing among the people, who had been suffering for the necessaries of life.

This was not arranged, however, without a great deal of trouble. In fact, there was a conflict of authorities at Washington respecting the re-opening of trade with Norfolk and Portsmouth, which not only embarrassed the commanding officers at Fortress Monroe and in Hampton Roads, but also illustrated the unsatisfactory state of affairs in the Cabinet, at a time when one mind should have directed everything.

The Treasury Department, on the 28th of August, prescribed "*Regulations concerning commercial intercourse with insurrectionary States and sections.*" The Secretaries of War and of the Navy, by separate orders, called on the officers of the army and navy to respect and carry out these regulations. But the Secretary of the Navy, notwithstanding this direction to naval officers, instructed the admiral in command of the naval forces off Fortress Monroe to allow no traffic whatever. It is not improbable that this conflict in the Secretary's own orders arose from a construction given by him to a regulation forbidding any clearance or permit whatsoever to any port, place, or section affected by the blockade, excepting for military purposes. The Secretaries of War and of the Treasury, however, had jointly granted permits for traffic with Norfolk and Portsmouth. Those were not blockaded ports; they lacked the fundamental condition of a blockade —hostile possession. The admiral, acting under the instructions of his chief, deemed it his duty to seize and stop all vessels from those places with return cargoes, even though they might have permits from another department of the Government. The controversy on this subject occupies many pages of correspondence. I mention it only as an instance of the difficulties with which our military commanders were obliged to contend. General Dix's communications to the Government on this vexed question are full and important. He represented that the inhabitants of Norfolk and Portsmouth,

though in the hands of the Federal authorities, were treated as if their cities were under strict blockade; that there were in Norfolk, Princess Anne, and Nansemond Counties—which the United States forces had taken possession of, and cut off from Southern sources of supply—some forty thousand inhabitants, who were actually suffering for want of the necessaries of life; and that their condition was one of increasing misery, with no sufficient cause or reason whatever. He insisted that the laws of blockade had no application to them; that it was a case of military occupation, and that those places were governed by the military commander under the laws of war; that it was his province to allow so much commercial intercourse as was necessary to provide for the comfort, not only of the troops but also of the inhabitants, subject to such regulations as the Government might think proper to impose; and that neutral nations could raise no question in regard to such intercourse under the laws of blockade. He therefore requested that the naval commander might receive such instructions as to prevent any conflict or misunderstanding with the officer commanding at Fortress Monroe.

The year during which General Dix was at Old Point Comfort was one of the most exciting of the war. In the month of May, General McClellan began his movement against Richmond, which opened with the brilliant but delusive successes at Yorktown and Williamsburg, and ended with the bloody fighting and final repulse of our forces in the immediate vicinity of the Confederate capital, early in the following July. During that unsuccessful attempt at capturing Richmond, General Dix was at Fortress Monroe, doing all that could be done to aid it. A private letter to us, dated July 1st, told of the repulse which carried such dire depression, for the second time, to the heart of the people of the North. He wrote:

"General McClellan's condition is very critical. He is surrounded by overwhelming numbers. He has been fighting five days. I am sending him re-enforcements, but they are for the most part exhausted men. I hope for the best. I have

private despatches from him. Yesterday he was attacked at all points, but he held the enemy in check. May God be with us!"

So great was the alarm excited by the failure to take Richmond, that it was deemed advisable to rouse the drooping spirits of the people by a public meeting in the city of New York. It was held on the 15th of July, in Union Square, and its effect was to encourage the despondent, and to strengthen the hearts of the loyal men of the city, by fresh resolves to meet the exigency of the hour. But things had changed since the great Union meeting of the previous year. Sympathy with the cause of the Confederate States was now openly expressed; prophecies were freely made that they would soon be recognized by the European powers, and that it would be found impossible to conquer them; nay, there was lacking only a fit occasion to venture, even in the city of New York, upon a guarded demonstration in their favor.

Under these circumstances it became a matter of no small solicitude who should be elected Governor of New York, Governor Morgan's term being about to expire. At a meeting of the Federal Union Central Committee, held at Cooper Institute, on the 20th of October, 1862, for the purpose of nominating a candidate for that office, twenty-nine votes were cast, all of them for General Dix. On being informed of his nomination he addressed the Committee in a letter, declining it, and assigning his reasons:

"My name, I see, is again used in connection with a political office, without my knowledge or consent. I shall remain at my post, doing all I can to sustain the Government in putting down the rebellion; and at a moment when the existence of the nation is hanging on a thread I cannot leave my duties here to be drawn into any party strife. Neither will I ever assent to any adjustment of the contest with the insurgent States which shall acknowledge their success. The rebellion began in fraud, dishonor, and violence, and must end in submission to the Constitution and the laws. The Secession lead-

ers have put the contest on grounds which would make success on their part indelible disgrace to us. In my sphere of duty my intention is to carry on the war, without either violence to the Constitution or to the principles of justice and humanity, and to contend to the last to avert a triumph over all that is stable in government or honorable in political companionship. My whole course through life has proved my devotion to democracy and conservative principles. No assurance should be needed that this faith is unchanged. But at a moment like this, unless all parties will rally round the Government in putting down the rebellion, leaving questions among ourselves to be settled when the national honor is vindicated and our existence as a nation secured, there can be nothing for us in the future but disaster and disgrace."

No one who lived in those days can forget the misery which we experienced amid the vicissitudes of the war, and the wavering of the balance between victories and defeats. The 1st of September was a specimen of the black days, when New York was wildly excited by rumors. It was said McDowell's entire corps had been cut to pieces by a charge of five thousand rebel cavalry; that the rebels were 250,000 in number, and were rapidly advancing; but then, on the other hand, that we had gained a great battle, and had taken seventeen thousand prisoners, etc., etc. In that month Pennsylvania was actually threatened with invasion by the way of Cumberland, and the inhabitants of Harrisburg were trembling for their safety. Later in the autumn, General Longstreet appeared in force on the west bank of the James, threatening our lines at Suffolk. The outlook for the Federal cause was not brilliant; the hearts of many were failing them for fear, as the war dragged slowly and cruelly forward.

In the midst of anxiety, trouble, and unremitting toil my father occasionally found relaxation and diversion of thought in reading his favorite Latin authors. The "Dies Iræ," the sequence in the Mass for the Dead, holds an unrivalled place in the lyrical treasures of Christianity. No one has yet suc-

ceeded in perfectly reproducing in any other language its sublime and awful measures; perhaps no man should hope to do so. The Latin tongue is unique in certain respects, as scholars know; such a language was needed to paint as it ought to be painted the picture of the Coming of Christ and the End of the World. Like many others, my father found comfort as a Christian, and consolation in sorrow, in studying that masterpiece of religious poetry. I give his version here, with the introductory note, reserving for a later part of this memoir the comments on its merits by some of the scholars of that period:

"I have recently seen in the periodical press several new translations of this noble canticle—the best produced by the Middle Ages, perhaps by any age.

"Among the English versions, that of the Earl of Roscommon seems to have caught more of the inspiration of the original than any I have seen. It is, nevertheless, a paraphrase rather than a translation. This is a serious fault, notwithstanding its high poetic merit. A production universally acknowledged to have no superior of its class should be as literally rendered as the structure of the language into which it is translated will admit. Moreover, no translation can be complete which does not conform to the original in its rhythmic quantities. The music of the 'Dies Iræ' is as old as the hymn, if not older; and, with those who are familiar with both, they are inseparably connected in thought. To satisfy the exactions of such minds the cadences must be the same.

"With full knowledge of what has been done and attempted in our language, and of the difficulty of doing better, I have nevertheless ventured on a translation having in view the two ends which I have pointed out—musical notation, and literal rendering to the extent that it is attainable.

"It is the fruit of leisure moments gained from the hard service of the camp, on rebel soil, but within Union intrenchments. If, in the ages of paganism, the strings of the Lesbian lyre might be, not unworthily, swept by hands inured to arms—

"'Qui ferox bello, tamen inter arma,
. . . . .
Liberum, et Musas, Veneremque, et illi
Semper hærentem puerum canebat'—

a soldier in a Christian age may not less worthily find relief from the asperities of war in themes more congenial with the higher dispensations which he is, by the providence of God, permitted to share.

"Fort ——, Va., June 17, 1863.

"DIES IRÆ.

1.

Day of vengeance, lo! that morning
On the earth in ashes dawning,
David with the Sibyl warning.

2.

Ah! what terror is impending,
When the Judge is seen descending,
And each secret veil is rending.

3.

To the throne, the trumpet sounding,
Through the sepulchres resounding,
Summons all, with voice astounding.

4.

Death and Nature, mazed, are quaking,
When, the grave's deep slumber breaking,
Man to judgment is awaking.

5.

Now the written book containing
Record to all time pertaining
Opens for the world's arraigning.

6.

See the Judge his seat attaining,
Darkest mysteries explaining,
Nothing unavenged remaining.

7.

What shall I then say, unfriended,
By what advocate attended,
When the just are scarce defended?

8.

King of majesty tremendous,
By Thy saving grace defend us;
Fount of pity, safety send us!

9.

Jesus, think of Thy wayfaring,
For my sins the death-crown wearing;
Save me, in that day, despairing.

'DIES IRÆ.

I.

Dies iræ, dies illa!
Solvet sæclum in favillâ,
Teste David cum Sibyllâ.

II.

Quantus tremor est futurus,
Quando Judex est venturus,
Cuncta strictè discussurus!

III.

Tuba, mirum spargens sonum
Per sepulcra regionum,
Coget omnes ante thronum.

IV.

Mors stupebit, et natura,
Quum resurget creatura
Judicanti responsura.

V.

Liber scriptus proferetur,
In quo totum continetur,
Unde mundus judicetur.

VI.

Judex ergo quum sedebit,
Quidquid latet apparebit,
Nil inultum remanebit.

VII.

Quid sum miser tunc dicturus,
Quem patronum rogaturus,
Quum vix justus sit securus?

VIII.

Rex tremendæ majestatis,
Qui salvandos salvas gratis,
Salva me, fons pietatis!

IX.

Recordare, Jesu pie,
Quod sum causa Tuæ viæ;
Ne me perdas illâ die!

10.

Worn and weary Thou hast sought me,
By Thy cross and passion bought me;—
Spare the hope Thy labors brought me.

11.

Righteous Judge of retribution,
Give, O give me absolution
Ere that day of dissolution.

12.

As a guilty culprit groaning,
Flushed my face, my errors owning,
Hear, O God, Thy suppliant moaning!

13.

Thou to Mary gav'st remission,
Heard'st the dying thief's petition,
Bad'st me hope in my contrition.

14.

In my prayers no worth discerning,
Yet on me Thy favor turning,
Save me from that endless burning!

15.

Give me, when Thy sheep confiding
Thou art from the goats dividing,
On Thy right a place abiding!

16.

When the wicked are rejected,
And to bitter flames subjected,
Call me forth with Thine elected!

17.

Low in supplication bending,
Heart as though with ashes blending;
Care for me when all is ending.

18.

When on that dread day of weeping
Guilty man in ashes sleeping
Wakes to his adjudication,
Save him, God! from condemnation!

X.

'Quærens me sedisti lassus,
Redemisti, crucem passus;
Tantus labor non sit cassus!

XI.

Juste Judex ultionis,
Donum fac remissionis
Ante diem rationis!

XII.

Ingemisco tanquam reus,
Culpâ rubet vultus meus:
Supplicanti parce, Deus!

XIII.

Qui Mariam absolvisti,
Et latronem exaudisti,
Mihi quoque spem dedisti.

XIV.

Preces meæ non sunt dignæ,
Sed Tu bonus fac benignè,
Ne perenni cremer igne!

XV.

Inter oves locum præsta,
Et ab hædis me sequestra,
Statuens in parte dextrâ!

XVI.

Confutatis maledictis,
Flammis acribus addictis,
Voca me cum benedictis!

XVII.

Oro supplex et acclinis,
Cor contritum quasi cinis:
Gere curam mei finis!

XVIII.

Lacrymosa dies illa
Qua resurget ex favillâ
Judicandus homo reus;
Huic ergo parce, Deus!'"

Through another year the sanguinary conflict was prolonged. In the spring important movements broke the suspense, and renewed the agitation of the hour. In the month of April my father found the opportunity for a brief visit home. He came to us on the 10th of the month. His stay was short. On the 12th he received a despatch from Colonel Van Buren, informing him that the enemy, about 30,000 strong, were coming up, and that the attack would probably be on Summerton and Edenton road. That same hour he set off for Baltimore, and, having been met by his despatch-steamer, was in a few hours within the threatened lines at Suffolk. He regarded the attack as a feint to conceal the design to interpose between Suffolk and Norfolk, to take the latter place, where there were only some 3000 troops, and thence to threaten Fortress Monroe, of which the garrison was but 1000 men. General Peck was at Suffolk, with 15,000 troops, and strongly intrenched. The enemy remained for some time in close proximity, but did not venture to attack, evidently fearing to bring on a general engagement. The General's account of these days is contained in the following despatch:

"Fortress Monroe, Virginia, April 19, 1863.

"*Major-general Halleck, General-in-chief:*

"I deem it due to the forces at Suffolk to notice briefly their gallant conduct during the last few days.

"On Tuesday General Peck's right was attacked, and the enemy's advance was gallantly met by Colonel Foster's light troops, driving him back to the line of his pickets. Anderson's division was engaged at the same time on the water-front with our gun-boats and batteries, and suffered materially. On Wednesday a rebel battery of 20-pounder rifled guns was effectually silenced, and an attack on the *Smith Briggs*, an armed quartermaster's boat, was repulsed. Repeated attempts have been made on our lines, but have all been foiled. The storming of the enemy's battery near the west branch of the Nansemond by General Getty, and the gun-boats, under Lieutenant Lamson, of the Navy, and the capture of six guns and two hundred prisoners, closes the operations of the six days against the enemy's large force very satisfactorily.

"JOHN A. DIX, Major-general."

The fighting on and near the Nansemond continued during the month of May. The state of the public mind became more and more confused while General Hooker and General Lee were crossing swords at Chancellorsville; and it looked again as if the Confederates would turn the tables on us and invade the Northern soil. I find in my private journal a distracting memorandum, which runs on this wise:

"*May 6th.*—Another day of intense anxiety and suspense. We are without any official information, and the inference is that the Government has none to give. Every kind of rumor is afloat. It would seem that Hooker has beaten Lee, and that Lee has beaten Hooker; that we have taken Fredericksburg, and that the rebels have taken it also; that we have 4500 prisoners, and the rebels 5400; that Hooker has cut off Lee's retreat, and Lee has cut off Sedgwick's retreat, and Sedgwick has cut off everybody's retreat generally, but has retreated himself, although his retreat was cut off; that Longstreet has left Suffolk to re-enforce Lee, but that Longstreet has not left Suffolk at all, and, again, that he has never been there. In short, all is utter confusion. Everything seems to be everywhere, and everybody all over, and there is no getting at any truth."

However, in the following month, about the 20th, we did get at a very notable truth, and it was that General Lee, having left Richmond uncovered, was advancing into Pennsylvania. On the 14th of June General Dix received a despatch from General Halleck to this effect:

"Lee's army is in motion toward the Shenandoah Valley. All your available force should be concentrated to threaten Richmond by seizing and destroying their railroad bridges over the South and North Anna Rivers, and do them all the damage possible. If you cannot accomplish this, you can at least occupy a large force of the enemy. There can be no serious danger of an attack on Norfolk now."

Pursuant to these orders General Dix moved up the York River, with about eighteen thousand men, and advanced to

the White House, cutting General Lee's line of communication and occupying the attention of a part of his army. The instructions received were carried out in all particulars: bridges were destroyed; a number of prisoners, including General Fitz-Hugh Lee, were taken; and our forces were within ten miles of Richmond. It was at that moment, when Lee's communications with the capital had been cut off, and when we had control of the whole country from the Pamunkey to the Rappahannock, that General Dix was ordered to fall back. Soon after that came the great battle of Gettysburg, in which General Lee was driven back on Richmond, and the last attempt to invade the Northern States was brought to a disastrous end.

In General Halleck's official report of the campaign of 1863, dated at the Head-quarters of the Army, November 15, 1863, he referred to the movement from Fort Monroe in the following terms:

"When the rebel army was moving north upon Maryland and Pennsylvania, General Dix sent all his available force from Norfolk and Fortress Monroe up the York River, for the purpose of cutting off Lee's communications with Richmond, and of attacking that place, which was then defended by only a handful of militia. The expedition, however, failed to accomplish a single object for which it had been fitted out. The failure resulted, it is alleged, from the inefficiency of one of the generals commanding. General Dix, therefore, ordered its return, and sent the troops of which it was composed to re-enforce the army of General Meade, north of the Potomac."

Referring to this report, I deem it my duty to present in this place the documents containing the history of the expedition, consisting of my father's official report to General Halleck, a private memorandum giving his own account of the affair, a letter to Admiral Lee, and a correspondence between him and General Halleck. These documents contain the history of the movement, and answer questions which have been raised concerning it:

"Head-quarters, Department of Virginia, Seventh Army Corps,
Fort Monroe, July 16, 1863.

"*Major-general H. W. Halleck, General-in-chief:*

"GENERAL,—On the 14th of June I received from you the following despatch by telegraph:

"'Lee's army is in motion toward the Shenandoah Valley. All your available force should be concentrated to threaten Richmond by seizing and destroying their railroad bridges over the South and North Anna Rivers, and do them all the damage possible. If you cannot accomplish this, you can at least occupy a large force of the enemy. There can be no serious danger of an attack on Norfolk now.'

"I had, at the time this despatch was received, a force of about five thousand men moving up the Peninsula. The advance was near the left bank of the Chickahominy, above the Dissacund Bridge. I had, also, a considerable force on the Blackwater. These movements had been made to prevent the enemy from sending re-enforcements to General Lee from this department.

"At the same time all the transports in the department had been ordered to Acquia Creek, to remove the sick and convalescent of the Army of the Potomac and the public property to Washington.

"On the 15th I had not a single transport left.

"I went, on the evening of the 14th, to Suffolk, and ordered General Peck to have his command in readiness to move.

"On the 17th transports returned, and were sent to Norfolk to receive Wistar's brigade, which had been ordered down there from Suffolk. I advised you on the 18th that part of this brigade went up the York River that morning. The transports came in very slowly; and, when they were all here, they were only sufficient to move Colonel Spear's regiment of cavalry from Norfolk to the White House. From my inability to move a larger force at once, General Getty's division and Terry's and Wistar's brigades were landed at Yorktown. It was not until the 24th that I could send Colonel Spear, with the Eleventh Pennsylvania Cavalry and about two hundred more mounted men of different regiments, under Lieutenant-colonel Davis, of the Twelfth Illinois Cavalry, to destroy the Virginia Central Railroad bridge over the South Anna. He landed at the White House on the 25th, after constructing a wharf for which I had ordered up materials from Fort Monroe.

"The same evening, on the return of the transports to Yorktown, I sent General Wistar, with a part of his brigade and a battery of artillery, to West Point. He pulled down two small buildings, built a wharf, and landed during the night.

"On the 26th, in the evening, I reached the White House, General

Getty having arrived immediately before me, and being then engaged in landing his division.

"Major-general Keyes, with Gordon's division and Terry's brigade and some other troops, amounting to about nine thousand, arrived at Cumberland on the same evening, and at the White House on the 27th.

"Brigadier-general Foster's brigade arrived on the 28th, making an aggregate force at the White House fit for duty, 18,730.

"Brigadier-general Spinola's arrived two days afterward from North Carolina with 1718 Pennsylvania drafted militia, whose term of service was about to expire, with directions that they be sent to Washington, if they would consent to serve till the insurgent forces were driven out of Pennsylvania and Maryland. They gave the requisite consent, and were embarked for Washington on the 7th of July.

"On the 27th of June, in the morning, Colonel Spear returned from the South Anna, having destroyed the bridge of the Virginia Central Railroad over that river and the Quartermaster's depot at Hanover Court-house, secured and brought away seven hundred animals, thirty-five army wagons, $15,000 in Confederate bonds and other property, and captured Brigadier-general W. H. F. Lee, a son of the General-in-chief of the insurgent army. A detailed report of this movement was forwarded from the White House.

"To facilitate anticipated movements at the White House, I ordered a light locomotive and half a dozen platform cars to be sent from Norfolk. They arrived on the 28th, and were landed on the 29th, and put in operation on the railroad. The railroad bridge over the Pamunkey at the White House was left uninjured; but the rails from that point to West Point had been taken up, probably to be laid down on other roads in the seceded States where there was urgent need for them. On Colonel Spear's return I organized an expedition under General Getty to seize and destroy the bridge of the Petersburg and Richmond Railroad on the South Anna. It consisted of his division, except a regiment retained for Provost duty at the White House, General Foster's brigade, a provisional brigade (part of Wistar's), under Colonel Wardrop, of the Ninety-ninth New York Volunteers, and the cavalry under Colonel Spear—in all about ten thousand men. His artillery and wagons were passed over the river on platform cars; the time occupied for the passage of the entire column being fifteen hours, from 5 P.M. on the 30th of June, to 8 A.M. on the 1st of July.

"A copy of my instructions to General Getty is annexed. I advised you of the movement on the 29th of June and 1st of July.

"On the day General Getty commenced his march (the 1st of July) I received a despatch from you, directing me as soon as my forces returned

from their present expedition to report before sending out any more; and on the 3d another, with the following direction: 'As soon as the expedition now out terminates you will draw in all your forces to Yorktown, Fortress Monroe, and the defences of Norfolk, and send to this place (Washington) all the troops not absolutely required for the defence of those places.'

"To cover General Getty's movement and insure its success I ordered Major-general Keyes, with Terry's and West's brigades, and one of the brigades of Gordon's division, to advance on the Richmond road and attack the enemy, who was understood to be in considerable force on the right bank of the Chickahominy, a short distance from Bottom's Bridge. General Keyes was to post his artillery in position so as to command the bridge and open fire on the enemy. He was also directed to hold his position for two or three days, until there was reason to believe that General Getty had accomplished his object. Major-general Keyes was chosen to command the troops by which this demonstration was to be made, on account of his rank, and more especially on account of his supposed familiar acquaintance with the country gained with the Army of the Potomac during the campaign on the Chickahominy.

"GENERAL GETTY'S EXPEDITION.

"General Getty moved from the left bank of the Pamunkey, opposite the White House, at 8 A.M., on the 1st of July. The weather was intensely hot, and on his arrival at Littlepage's Bridge, near the junction of the South Anna with the Pamunkey, on the 4th of July, a large number of his men were found unfit for active duty. The road from Taylor's Ferry is very narrow, and difficult for artillery and heavy wagons. It passes over high hills, and is very unfavorable to the movement of troops.

"Colonel Spear, agreeably to my orders, had destroyed all the bridges and ferry-boats below Littlepage's Bridge. The column crossed on the evening of the 4th, and the advance was immediately made to the bridge of the Richmond and Fredericksburg Railroad across the South Anna. It was found to be held by a very large force, covered by earthworks. From the best information this force was believed to be about eight thousand men, with fourteen pieces of artillery. Three regiments had been brought down from Fredericksburg. From the evening of the 1st to the morning of the 4th cars were coming from Richmond with troops, inside and outside. Three trains passed up on the morning of the 4th with troops and with eight pieces of artillery. Believing that his own force did not justify an attack on the bridge, that he would sustain very heavy loss, and that success would be doubtful, he decided to destroy as much of the track as possible, and render the railroad unser-

viceable. General Foster was, therefore, directed to remove the rails, bend them, and burn the ties. This was accomplished from a point near the bridge to a road some three miles below. Major Stratton was sent with a detachment of cavalry to Ashland station, on the same railroad, about eleven miles from Richmond, where he destroyed the railroad depot, brought off the telegraph instrument, and tore up the track above and below the place, burning the ties and bending the rails. He also destroyed a trestle bridge a mile below Ashland, and a number of cars loaded with materials for the reconstruction of the railroad bridge over the South Anna destroyed by Colonel Spear. He also tore up the track and disabled the rails. It is the opinion of Major Stratton, who is a very judicious man, and who was a railroad engineer before the rebellion, that the injury he did could not be repaired in less than a week; and it is the opinion of General Getty that, considering all the injuries done to the road, a fortnight will be necessary to put it in good running order.

"The position of General Getty on the right bank of the Pamunkey, with Richmond in his front, a large force on his right, and a narrow bridge to cross the river, was a critical one, and if he had been attacked by a superior force he would have been in great danger. Having substantially accomplished the object of breaking up the direct railroad connection between Richmond and General Lee's army in Pennsylvania, he crossed the Pamunkey, destroyed Littlepage's Bridge, and returned to the White House, bringing with him twenty-one prisoners, one a commissioned officer, and having lost two killed and seven wounded. The information in regard to the strength of the enemy at the bridge is fully confirmed by the prisoners.

"GENERAL KEYES'S DEMONSTRATION.

"General Keyes, agreeably to his orders to attack Bottom's Bridge, advanced on July 1st to Baltimore, or Crump's Cross Roads, where he halted for the night, sending his advance, under Colonel West, three or four miles farther on. Bottom's Bridge is but thirteen miles from the White House, and it was expected that General Keyes would take on the evening of the 1st a position which should command it and prevent the enemy from crossing. The correspondence forwarded to you on the 12th instant shows that he proposed to me the same night to fall back to the White House; that I directed him to hold his position, unless the enemy showed himself in such force as to make it necessary to fall back; and that at daybreak on the 2d he fell back to Baltimore Store, or Talley's, though no enemy had appeared, with the exception of some skirmishers on the 1st. His letter No. 5, advising me of his intention, did not reach me till after daylight, when it was too late to arrest the movement.

"On the afternoon of the 2d the enemy advanced, with eight pieces of artillery and an infantry force, on Baltimore Cross Roads, and Colonel West, who had been left there with the advance, fell back to avoid being outflanked. The enemy's field-pieces were brought within a mile of Baltimore Store, to which General Keyes had retired, and fired from one hundred to one hundred and fifty shots during the night, without doing any injury whatever. From information derived from Colonel West, who is an experienced officer and a man of cool judgment, the whole force could not at any time have exceeded three thousand men. General Keyes had six thousand, and fourteen pieces of artillery.

"After the night firing, which was manifestly intended for intimidation, the enemy withdrew nearly his whole force before daybreak, and there is little doubt that it was hurried back to Richmond and sent up to the South Anna by railroad to oppose General Getty.

"From the morning of the 3d to the 7th, when General Getty returned, I am now satisfied that there was at no time more than a regiment of infantry and some small parties of cavalry between the Chickahominy and the White House. On the correspondence between General Keyes and myself I make no comments, but leave it to speak for itself. I desire, however, to say that, after the receipt of letter No. 24, showing a concurrence of opinion and feeling on the part of General Keyes and his brigade commanders, I deemed it most prudent to suspend the movement, and leave his command where it was in no danger of molestation.

"It is my opinion that if a prompt and vigorous attack had been made on the 1st of July on Bottom's Bridge, it would have been regarded as a real movement, and not a mere demonstration; that the enemy's troops would have been retained in Richmond, and that General Getty would have succeeded in destroying the railroad bridge over the South Anna. But when General Keyes fell back on the morning of the 2d without being attacked, and it became manifest that the movement was a mere feint, a large portion of the force in Richmond was sent against General Getty.

"THE ENEMY'S FORCE IN RICHMOND.

"On the 28th of June, the day the last of my force arrived at the White House, Jefferson Davis wrote to General Lee that there were three brigades in Richmond, and part of Hill's division, besides Wise's brigade on the east side of the city.

"These different corps could not well have numbered less than twelve thousand men.

"There were, in addition, a body of trained artillerists in the intrenchments, which are very strong; the home guard, embracing all males ca-

pable of bearing arms; a convalescent brigade, and the home guard called in from Petersburg. My information, corroborated from a variety of sources, is that there were in Richmond on the 1st of July not less than twenty thousand men under arms, a majority of whom were regularly organized and trained troops. On the 2d of July Mr. Ould declared eighteen hundred paroled prisoners at Richmond exchanged, and they were, no doubt, immediately put in service there. The information that there were about eight thousand men at the South Anna prepared for General Getty's attack is, therefore, perfectly consistent with the letter of Jefferson Davis and corroborating intelligence from other sources.

"In review, I beg leave to say that the object in contemplation of your order of the 14th of June was substantially accomplished; that the railroad connection between General Lee and Richmond was effectually broken; that a large force of the enemy was occupied; and that very severe injury was inflicted on him.

"My position at the White House was one from which the enemy could have been greatly annoyed, had the public necessities elsewhere allowed me to retain it. The time required to pass General Getty's column across the river led me to plank over the railroad for the passage of supply-trains and artillery, and by means of this facility the whole country could have been controlled from the Pamunkey to the Rappahannock, either by holding the bridge and operating from the White House, or by crossing my whole force, destroying the bridge, making West Point the base of my movements, and avoiding the long and circuitous navigation of the Pamunkey below the White House. With the aid of a pontoon bridge the Pamunkey can be crossed at New Castle Ferry or Hanoverstown, each about fifteen or sixteen miles from Richmond, eight or nine miles nearer than the White House.

"I enclose herewith the reports of Major-general Keyes and Brigadier-general Getty, giving detailed accounts of their movements. The loss of Major-general Keyes was twenty-five killed and wounded; and General Getty, two killed and seven wounded.

"I desire to acknowledge the zeal and promptitude of the officers and men under my command in the performance of their duties.

"I am, very respectfully, your obedient servant,

"(Signed) JOHN A. DIX, Major-general."

[*Memorandum.*

In regard to General Dix's movement to West Point and the White House there has been a great misapprehension, which, now that the object has been accomplished, we feel at liberty to correct. It was never designed to attack Richmond. His force, which has been greatly exag-

gerated, was entirely inadequate to such an enterprise. Richmond is one of the most strongly fortified cities in the South. It is literally encompassed by intrenchments, thoroughly armed. It cannot be taken except by a siege. Although there were a small number of troops within the city a fortnight ago, there was Wise's brigade, at Chapin's Bluff and other points near by, and three other brigades accessible at a notice of a few hours. The day after General Dix landed all those brigades were in the city. The City Battalion, in which all males are enrolled, including the numerous laborers in the Tredegar Works (where two thousand carbines and two thousand revolvers are manufactured every month), in addition to troops within reach, made up an aggregate force nearly equal to that of General Dix. The net-work of telegraph-wires and railroads of which Richmond is the centre gives facilities for concentrating troops which render a *coup-de-main* impossible. All this was known to General Dix before he concentrated his disposable troops at the White House, and he did not, therefore, encumber himself with a siege-train. It is believed that the object of the Government in directing him to show a force somewhere near Richmond was to engage the attention of the enemy and prevent him from sending re-enforcements to General Lee, and to destroy his railroad communications over the South Anna. These objects were fully accomplished. An intercepted letter from Jefferson Davis to General Lee of the 28th of June shows that the latter was calling for re-enforcements, and that the former could not send them because the United States forces were menacing Richmond from the White House. But for this movement the ten or twelve thousand troops which were hastily drawn to Richmond would have been sent to the Potomac, and might have reached there in time at least to prevent the destruction of Lee's pontoon bridges. At all events, these troops have been held at Richmond to resist a possible attack.

For the purpose of destroying direct railroad connection between General Lee and Richmond the expedition of Colonel Spear, of the Eleventh Pennsylvania Cavalry, was organized. It was conducted with such secrecy that neither the enemy nor his own command knew his destination until the steamers in which the troops were transported arrived at the White House, putting the cavalry guard to flight. He appeared the next day forty miles above, surprising the enemy at the bridge of the Virginia Central Railroad over the South Anna, carrying the intrenchments by assault, and killing, wounding, and capturing every man within. The bridge was then burnt and thoroughly destroyed, Colonel Spear standing by until it fell into the river. All this was done under written instructions prepared by General Dix himself. Colonel Spear then proceeded to the Hanover junction, destroyed the quartermaster's depot

there, brought off thirty-five good army wagons, about seven hundred horses and mules, $15,000 in Confederate money, and one hundred prisoners, among whom was General W. F. Lee, son of the rebel General-in-chief. Crossing the Pamunkey, as General Dix had directed, and destroying the bridge behind him, he brought off all his prisoners and captured property to the White House. Of the great gallantry, good judgment, and promptitude of Colonel Spear it is impossible to say too much. He has proved himself one of the most accomplished cavalry officers in the service. The bridge of the Fredericksburg Railroad over the South Anna, three miles farther up, would also have been destroyed; but while Colonel Spear was burning the other a strong infantry force was thrown into the intrenchments by which it is protected, rendering a concerted attack by cavalry hopeless. As soon as Spear's cavalry was in condition for active service after their hard work General Dix organized a second expedition, with cavalry, artillery, and infantry, under General Getty, to destroy the Fredericksburg Railroad bridge or break up the railroad communication with Richmond. But for the intense heat of the weather and the failure of a demonstration against Richmond the object would probably have been accomplished. But the march occupied a day longer than was expected, and the enemy threw a large reenforcement by railroad into the intrenchments; and when General Getty reached there he found them occupied by a force about equal to his own. Satisfied that he could not succeed without a heavy loss, he decided to destroy as much as possible of the railroad between the bridge and Richmond. He took up about six miles of rails, bending and otherwise rendering them unfit for use. He destroyed the railroad depot, telegraph office, and trestle bridge at Ashland station, thus breaking up the railroad communication with Richmond. The connection, therefore, between Richmond and Lee's army is broken up by both railroads, and the communication can only be made by the roundabout way of Danville, Lynchburg, and Charlottesville. General Getty moved on the 1st of July, and on the same day General Dix ordered General Keyes, with a strong force, to attack Bottom's Bridge, on the Chickahominy, and make a demonstration against Richmond, with a view to prevent the forces assaulted there from being sent against General Getty. For reasons unnecessary to be detailed this movement was not carried out.

General Getty brought back some fifteen or twenty prisoners and a large number of horses and mules. The duty intrusted was executed with great judgment and efficiency under carefully prepared instructions by General Dix. General Getty is one of the most discreet and reliable officers in the service; and the same remark is applicable to General

Foster, late Colonel of the Thirteenth Indiana Volunteers, whose brigade constituted a part of this expedition.

The movement of General Dix has, therefore, not only accomplished the object of holding a large force at Richmond from General Lee, but the farther far more important one of cutting off communications between Richmond and the rebel army in Pennsylvania. It has also inflicted on the enemy a most serious loss in railroad property, army wagons, and animals. The latter amount to about one thousand.

These objects have been accomplished with very trifling loss. On Spear's expedition there were three killed and eight wounded; on Getty's, two killed and some ten or twelve wounded; and in skirmishing on the Chickahominy, three killed and twenty-two wounded and missing—total loss, forty-nine. The enemy's loss in killed and wounded is unknown; his loss in prisoners is about one hundred and twenty. It would have been very easy, by a fruitless assault on the intrenchments at Richmond or by a successful one at the Fredericksburg Railroad bridge, to have lost two or three thousand men; but the former would have been mere temerity, and the latter would have accomplished what has been effected without serious sacrifice of life or destruction of the railroad connection between Jefferson Davis and his rebel chief in Pennsylvania.

The troops constituting the expeditionary force of General Dix were directed to be withdrawn by order from Washington, while General Getty was on his expedition for service elsewhere.]

Confidential.

"Head-quarters, Department of Virginia, Seventh Army Corps,
White House, Va., July 7, 1863.

"*A. R. Admiral S. P. Lee,*

"*Commanding North Atlantic Blockading Squadron:*

"ADMIRAL,—I have just received your confidential letter of the 6th instant. I have been under orders for several days to send to Washington all my force, except such as is absolutely necessary to defend Yorktown, Fort Monroe, and the new line of intrenchments near Norfolk. I have sent off three regiments to-day, and am only waiting for transports to send more. General Getty returned this morning. He could not destroy the Fredericksburg Railroad bridge over the South Anna, but he destroyed some six miles of the track between the bridge and Richmond, and the depot at Ashland. General Lee's communications with Richmond are cut off by the two railroads running north from that city, so that the valley of the Shenandoah can only be reached by way of Dansville, Lynchburg, and Charlottesville.

"Unless I have other orders I shall move from this place to-morrow

morning with my whole force. It pains me to do so, but I cannot remain long, if authorized, without re-enforcements, as the term of seventeen of my regiments is about expiring—several of them as early as next week. I mentioned in an unofficial letter last week that I wished to see you. I intended to propose to you a joint attack on Fort Powhattan, but it is now too late, as I am to be reduced so low in my numbers as to be able merely to hold a few prominent points.

"If I evacuate this position to-morrow your gun-boats will be disposable for any purpose you may have in view, as I shall withdraw the troops from West Point also.

"I am, very respectfully, your obedient servant,

"JOHN A. DIX, Major-general.

"Head-quarters, Department of the East, New York City,
"December 15, 1863.

"*Major-general H. W. Halleck, General-in-chief:*

"GENERAL,—In your report of the 15th instant to the Secretary of War I find the following paragraph:

"'When the rebel army was moving north upon Maryland and Pennsylvania, General Dix sent all of his available force from Norfolk and Fortress Monroe up the York River for the purpose of cutting off Lee's communications with Richmond, and of attacking that place, which was then defended by only a handful of militia. The expedition, however, failed to accomplish a single object for which it had been fitted out, the failure resulting, it is alleged, from the inefficiency of one of the generals commanding. General Dix, therefore, ordered its return, and sent the troops of which it was composed to re-enforce the army of General Meade, north of the Potomac.'

"As there seems to be some misapprehension on your part in regard to two or three of the most essential particulars, I desire to call your attention to them in connection with the subjoined statement of facts:

"1st. That I sent 'all my available force up the York River for the purpose of cutting off Lee's communications with Richmond, and of attacking that place.'

"The following is your order under which I acted:

"'Lee's army is in motion toward the Shenandoah Valley. All your available force should be concentrated to threaten Richmond, by seizing and destroying their railroad bridges over the South and North Anna Rivers, and do them all the damage possible. If you cannot accomplish this, you can at least occupy a large force of the enemy. There can be no serious danger of an attack on Norfolk now.'

"It will be perceived that an attack on Richmond was not a part

of the plan. That city is understood to be nearly as strongly fortified as Vicksburg, and only to be taken by a regular siege.

"2d. 'That Richmond was then defended only by a handful of militia.'

"An intercepted letter from Jefferson Davis to General Lee, dated June 28th—the day the last of my troops arrived at the White House—states that there were three regular brigades in Richmond, and part of Hill's division, besides Wise's brigade on the east side of the city. These were all regular troops, and not militia. There was, in addition, a body of trained artillerists in the intrenchments, the home guard, and a convalescent brigade.

"3d. 'That the expedition failed to accomplish a single object for which it had been fitted out.'

"The objects of the expedition, as stated in your order, were threefold: 1st, to threaten Richmond; 2d, to destroy the railroad bridges over the South and North Anna Rivers, and do the enemy as much damage as possible; 3d, to occupy a large force of the enemy.

"The first and last of these objects were effectually accomplished; the second partially, and I may say substantially. One of the bridges over the South Anna was destroyed. Although the other was not destroyed, the railroad track between it and Richmond was torn up for a considerable distance, and the bridge at Ashland, on the same road, eleven miles out of Richmond, was completely demolished and burnt, as well as the depot at that station.

"Colonel Spear's expedition, sent out under written instructions, was a most successful and creditable one. He destroyed the first-mentioned bridge and quartermaster's depot at Hanover Station, bringing back thirty-five army wagons, seven hundred horses and mules, and General Fitzhugh Lee, the son of the rebel General-in-chief, now in confinement at Fort Lafayette as a hostage.

"I had only been three days at the White House when my forces were ordered back to re-enforce General Meade. At that time I had completely cut off Lee's communications with Richmond by way of the two railroads crossing the South Anna River, and had control of the whole country from the Pamunkey to the Rappahannock.

"To myself this correction of a statement, which I am sure is inadvertent, is of less consequence than to the gallant troops under my command. For their sake I ask permission to give publicity to this letter, or to my report of the expedition, dated the 10th of July last.

"I am, Sir, very respectfully, your obedient servant,

JOHN A. DIX, Major-general."

Unofficial.

"Head-quarters of the Army, Washington, December 21, 1863.

"*Major-general J. A. Dix, New York City:*

"GENERAL,—Your letter in regard to my official report of November 15th is received. I have not been able to give it an earlier answer.

"I cannot authorize the publication of this letter, nor of your report; but I presume the latter will be officially published, with other reports, by Congress, as I understand they have all been submitted by the War Department.

"I very much regret, General, that my report contains anything to which you take exception. I certainly had no intention to reflect upon *you*, or to find any fault with *you*, as the commanding General of the Department. In my opinion the expedition up the York River did not accomplish the two objects in view, or either of them. You speak of *three* objects. I think a third was suggested only in case the others failed.

"Perhaps I erred in using the word *attack* instead of *threaten*. To *threaten* is not necessarily to *attack*, but it may imply an attack if the point to be threatened is found open to one.

"I have no time at present to examine the reports or to discuss the matter. I can only add that, while much disappointment was felt here at what was considered a failure of the expedition, no blame whatever was attached to you. Perhaps no blame should have been attributed to any one, but I inferred differently from your own reports and despatches.

"In regard to the force then in Richmond I derived my information from spies and prisoners of war.

"Very respectfully, your obedient servant,

"H. W. HALLECK."

Nothing more clearly showed the power of the North and the hopelessness of the Confederate cause than the result of the strenuous efforts made on each side to keep up their military forces: in this particular the United States Government kept growing stronger and stronger from year to year, until, at the close of the war, it is said that our forces in the field and in garrison amounted to upward of a million of men. Before these enormous hosts the enemy faded away. In its determination to keep up its armies to whatever strength might be necessary the Government adopted the expedient of raising men by draft, as indispensable to ultimate success. The power inherent in a government must be exercised when

its own preservation and the stability of the national life demand it. That power was one which the United States Government felt constrained to use some two years after the commencement of hostilities.

Nevertheless, the draft was bitterly opposed, and on two grounds. By some persons it was regarded as arbitrary, unjust, and despotic in its nature, and an instance of oppression to which freemen ought not to submit. Others, perceiving that the measure was necessary in order to subdue the rebellion, and secretly or openly favoring the cause of the Secessionists, determined to resist the draft, with the hope of giving indirect assistance to the Southern cause. These two elements of opposition are plainly to be traced in the horrible disasters which occurred in the city of New York during the summer of 1863.

The result of the election of the preceding autumn had been to place Horatio Seymour in the gubernatorial chair. The Democratic party, apparently a unit at the time of the attack on Fort Sumter, was now evidently divided, and by lines which bade fair to grow yet more sharp. One section, known as "War Democrats," were for prosecuting the struggle with increasing determination, and stopping at nothing short of the entire submission of the enemies of the Union; another section, assuming that the strife was a hopeless one, would have had it terminated by a compromise satisfactory to the South. It was inevitable, therefore, that differences of opinion should exist as to measures such as that of keeping up the National forces by draft; nor was it strange that on that particular question the leading men of the two sections should have been unable to act in harmony. General Dix regarded the draft as justified by the circumstances in which the Government found itself, and thought that the act of Congress under which it was to be made should be obeyed as of indisputable authority. Governor Seymour, on the other hand, regarded the draft as an oppressive and cruel measure, and of such doubtful legality that the courts ought to be

called on for a decision as to the duty of the citizen whom it affected.

It was most unfortunate that such differences of opinion should have existed among men of eminence, ability, conscientiousness, and influence, and certain that they would lead to serious consequences on an attempt to make a draft in the city of New York. That city had become a doubtful element in the problems of the day. A strong feeling of opposition to the war had developed there; an active, energetic, and numerous party was there, capable, in a favorable emergency, of offering open resistance to the Federal authorities; men known to be in sympathy with the Confederates, and suspected of holding treasonable correspondence with them, were domiciled in it. Trade with the blockaded ports was carried on to a considerable extent; traffic and communication by letter and personal intercourse between residents in that city and inhabitants of the insurgent States were constant; and among certain classes of the population a spirit of discontent prevailed, which might easily be intensified and excited to dangerous manifestations. As for the draft, the working-men (from whose ranks the larger part of the drafted would be taken) readily gave ear to suggestions of its illegality; the mob of New York, always dangerous, might be counted on as sure to rise on the first favorable occasion; in short, the elements were ready for the spark which was to cause a terrific explosion.

By some strange blundering or some fortuitous concurrence of events it came to pass that the time selected for testing the question of the right and ability of the Government to make a draft in the city of New York was the most unfortunate that could possibly have been chosen. It was midsummer, when there was actual suffering among the laboring-folk of the city in the stagnation of business usual at that time of the year. In the field of war, also, events were occurring calculated to raise the hopes of the Confederacy. General Lee, after some brilliant manœuvres, had turned the flank of the

United States forces, and was advancing at the head of a splendid body of troops, and with apparently irresistible motion, toward the Maryland and Pennsylvania line, spreading consternation before him. To resist his onset every available man had been hurried to the front, and the city was left, not merely without a regiment, but with scarce a company of soldiers within call; some few of the "Invalid Corps," a handful of Marines at the Navy Yard, and a few gunners in the harbor forts, were all that remained. This was the time during which the preparations for the draft were in progress; and though the great fight at Gettysburg had dispelled some apprehensions, it had added fuel to the public excitement. At this critical juncture the Provost-marshal and his assistants received orders to make the draft in New York. Saturday, July 11, was the day fixed for the work to begin; by the following Wednesday none would have recognized the city for the same place, so wild and horrible was the scene which it presented.

Our present estimate of the hidden course of events must be held liable to correction by the light of future discoveries; but I know that, whether we were right or not, many of us believed, as certainly as we believed anything, that the Draft Riots of 1863 were substantially, and of design, a counter-movement in the interest of the cause of the Confederacy, and that the resistance encountered by the civil officers of the Government in the wards of this city was intended to coincide with the assault on our military commanders on the line of the Potomac, the Susquehanna, and the James. However that may have been, few doubted it at the time, and the damage done by the sanguinary fiends in our unfortunate city was laid without hesitation to the charge of those who were conducting, or who sympathized with, the secession movement. I say this in order to account for and, if necessary, to justify, the determination of the Government, though at first baffled, to carry its point and enforce a law which was resisted with such fury.

The story of those terrible days of July has been fully told. I shall not give it here, though an eye-witness of the confused and bloody scene. The trouble began, as I have said, on Saturday, the 11th; nearly a week had passed before we knew that we were safe. I was living at that time in the old Rectory of the parish, No. 50 Varick Street. The house stood in a dangerous quarter. The large garden was separated in the rear by a mere brick wall from St. John's Lane and York Street, which were inhabited almost exclusively by colored people. At St. John's Chapel, which stood close by, we had a large Sunday-school of colored children. It will be remembered that, by some dull mob-logic, the rioters ascribed the public troubles to the negro, and made that unfortunate race the subject of incessant assaults. Intending to leave the city on Monday, I was stopped by the rumor of coming evil, and dared not venture to be absent at that trying time. I remember one of my servants flying into my library that evening, with pale face, and telling me that, while passing through Clarkson Street on some errand, she had seen a colored man hanging on a tree, and men and women setting him on fire as he dangled from the branches. I treated the story lightly, and told her it must have been an effigy, but she constantly affirmed that it was true; and she was right, as I subsequently ascertained. That night, or the following one, the streets behind the Rectory were sacked by the mob. I saw their attack from an upper window of my house, and heard the bursting in of doors, the crash of glass, and the roaring of voices, with shrieks and cries — a veritable pandemonium. Next day I learned that an attack was planned on St. John's Chapel, apparently for no other reason than that we had our colored school there. By prompt application to the authorities I got a watch set on the church, and a squadron of dragoons stood all night drawn up outside my garden wall, ready for the rioters if they should come. Meanwhile, at a dozen different points throughout the city battles were in progress; and never was greater valor displayed than by the police, who threw them-

selves, lion-like, upon the wild beasts, in the proportion generally of one hundred to five thousand, taking no prisoners, and strewing the streets with dead and wounded wherever their swift and terrible blows fell. Thus the days wore on, with dust and smoke, with fire and flame; with sack of private dwellings and burning of charitable institutions, armories, and draft stations; with blood and wounds, and every imaginable instance of atrocity on the part of the maddened mob, till regiments, hurriedly withdrawn from the front, came speeding back to the city, and we saw the grim batteries and weather-stained and dusty soldiers tramping into our leading streets as if into a town just taken by siege. There was some terrific fighting between the regulars and the insurgents; streets were swept again and again by grape, houses were stormed at the point of the bayonet, rioters were picked off by sharpshooters as they fired on the troops from the house-tops; men were hurled, dying or dead, into the streets by the thoroughly enraged soldiery; until at last, sullen and cowed, and thoroughly whipped and beaten, the miserable wretches gave way at every point and confessed the power of the law. It has never been known how many perished in those awful days. According to the lowest estimate some twelve hundred of the rioters must have been killed, and five or six times that number wounded; but they hid their losses as far as possible, and disposed of their dead in silence and darkness.

To Acton and Kennedy, of the police force, and to Brigadier-general Harvey Brown, of the army, was due, under God, the preservation of the town from general destruction, conflagration, and pillage. The skill of those brave men, in managing the small but thoroughly disciplined number under their command until re-enforcements came from the front, was of the highest order; the bravery of the handful of soldiers and police was never surpassed by anything in the annals of war. They constituted a forlorn hope. But for them the greater part of New York would probably have been laid in ashes.

Meanwhile the State authorities pursued a policy which was tantamount to encouragement to the insurgents. They did this by stating that, in their judgment, the draft was an oppressive measure, that it ought not to have been attempted, that it could never be enforced, and that protection against it, as unconstitutional, should be sought from the courts. An issue was thus squarely made with the Government: I need hardly add that it was promptly accepted. On the 18th of July, General Wool was relieved of his command of the Department of the East, and General Dix was ordered to New York to take his place. It was announced that the draft, which had been interrupted by the mob, would be enforced, and that the new commanding officer, aided by such force as was necessary, would see that it was done. Whatever happened, one thing was rendered certain by the appearance of General Dix in the city, that the law would be carried out, and that the Government must be obeyed.

He arrived in New York immediately after the termination of the riots, and when there was imminent danger of their renewal. It was reasonable to expect that similar disturbances would occur, not only there, but in other large cities, provided the sympathizers with the rebellion should have reason to suppose that they could maintain such outbreaks long enough before suppression to produce an important political effect. Aware of this danger, General Dix, on the very day of his arrival, in company with General Canby, his second in command, called upon Governor Seymour, and expressed an earnest desire to have good-will and mutual co-operation between the State Executive and the head-quarters of the Military Department. His great wish was, that the Governor, as Commander-in-chief of the State troops, should adopt a course and take measures which would render it unnecessary to ask for the assistance of the Federal authorities. Thus, when Provost-marshals from the interior of the State called upon General Dix, requesting the means of protecting themselves and their offices from threatened violence, he at once referred

them to the Governor; and at the very outset stated to the Governor his wish and hope that he would provide for the enforcement of the draft and the maintenance of the public peace by State authority, and without any assistance from the United States troops.

It is well known that the views of Governor Seymour were such as to make it impossible for him to respond to this appeal. In his address to a convention held at Albany, some time subsequent to this date, he stated that, in his judgment, the enrolment was unequal and unjust, if not fraudulent, and that the enforcement of the draft would bring gross discredit on us in the eyes of the world. These suggestions of error and fraud were represented in the proper quarter, and orders were issued that the quotas in the districts wherein error or improper conduct on the part of the enrolling officers had been alleged should be reduced, so as to cover all possible excesses, whether mistaken or wilful. But the objections of the Governor appear to have been to the draft itself, in any form, rather than to the particular method of its enforcement. Verbal communications having proved ineffectual, General Dix addressed Governor Seymour in the following communication:

"Head-quarters, Department of the East, New York City,
July 30, 1863.

"*His Excellency Horatio Seymour, Governor of the State of New York:*

"SIR,—As the draft under the Act of Congress of March 3, 1863, for enrolling and calling out the National forces, will probably be resumed in this city at an early day, I am desirous of knowing whether the military power of the State may be relied on to enforce the execution of the law, in case of forcible resistance to it. I am very anxious that there should be perfect harmony of action between the Federal Government and that of the State of New York; and if, under your authority to see the laws faithfully executed, I can feel assured that the act referred to will be enforced, I need not ask the War Department to put at my disposal for the purpose troops in the service of the United States. I am the more unwilling to make such a request, as they could not be withdrawn in any considerable number from the field without prolonging the war and giving aid and encouragement to the enemies of the Union at

the very moment when our successes promise, with a vigorous effort, the speedy suppression of the rebellion.

"I have the honor to be, very respectfully, your obedient servant,

"JOHN A. DIX, Major-general."

To this letter the Governor returned the following reply. He had determined to appeal to the President, and, if possible, have the draft stopped altogether:

"Albany, Monday, August 3, 1863.

"*To Major-general John A. Dix, Commanding Eastern Department, etc.:*

"SIR,—I received your letter on Saturday. I have this day sent to the President of the United States a communication in relation to the draft in this State. I believe his answer will relieve you and me from the painful questions growing out of an armed enforcement of the conscription law in this patriotic State, which has contributed so largely and freely to the support of the National cause during the existing war. When I receive the President's answer I will write to you again upon the subject of your letter.

"Truly yours, etc., HORATIO SEYMOUR."

General Dix responded in the following communication:

"Head-quarters, Department of the East, New York City,
August 8, 1863.

"*His Excellency Horatio Seymour, Governor of the State of New York:*

"SIR,—I had the honor to receive on the evening of the 5th instant your letter of the 3d, in reply to mine of the 30th ultimo, informing me that you had made a communication to the President of the United States in relation to the draft in this State, and expressing your belief that his answer would relieve you and me 'from the painful questions growing out of an armed enforcement of the Conscription Act," etc.

"Your Excellency promises to write me again on the subject when you shall have received the President's answer. It will afford me great pleasure to hear from you, and to receive an affirmative answer to the inquiry contained in my letter. But I owe it to my position as commander of this Military Department to anticipate his reply by some suggestions arising out of your answer to me.

"You are, no doubt, aware that the draft has been nearly completed in the nine Western Districts, and that it has also been completed in several districts and is in successful progress in others in the central part of the State, under the orders of the Provost-marshal General. It is my

duty now, as commanding officer of the troops in the service of the United States in the Department, if called on by the enrolling officers, to aid them in resisting forcible opposition to the execution of the law; and it was from an earnest desire to avoid the necessity of employing for the purpose any of my forces which have been placed here to garrison the forts and protect the public property, that I wished to see the draft enforced by the military power of the State in case of armed and organized resistance to it. But, holding such resistance to the paramount law of Congress to be disorganizing and revolutionary—leading, unless effectually suppressed, to the overthrow of the Government itself, to the success of the insurgents in the seceded States, and to universal anarchy—I designed, if your co-operation could not be relied on, to ask the general Government for a force which should be adequate to insure the execution of the law, and to meet any emergency growing out of it.

"The act under which the draft is in progress was, as your Excellency is aware, passed to meet the difficulty of keeping up the army, through the system of volunteering, to the standard of force deemed necessary to suppress the insurrection. The service of every man capable of bearing arms is, in all countries—those specially in which power is responsible to the people—due to the Government when its existence is in peril. This service is the price of the protection which he receives, and of the safeguards with which the law surrounds him in the enjoyment of his property and life. The act authorizing the draft is entitled 'An act for enrolling and calling out the national forces.' I regret that your Excellency should have characterized it as 'the conscription act'—a phrase borrowed from a foreign system of enrolment, with odious features from which ours is wholly free, and originally applied to the law in question by those who desired to bring it into reproach and defeat its execution. I impute to your Excellency no such purpose. On the contrary, I assume it to have been altogether inadvertent. But I regret it, because there is danger that, in thus designating it and deprecating 'an armed enforcement' of it, you may be understood to regard it as an obnoxious law, which ought not to be carried into execution, thus throwing the influence of your high position against the Government in a conflict for its existence.

"The call which has been made for service is for one-fifth part of the arms-bearing population between twenty and thirty-five years of age, and of the unmarried between thirty-five and forty-five.

"The insurgent authorities at Richmond have not only called into service heretofore the entire class between eighteen and thirty-five, but are now extending the enrolment to classes more advanced in age. The burden which the loyal States are called on to sustain is not, in propor-

tion to population, one-tenth part as onerous as that which has been assumed by the seceded States. Shall not we, if necessary, be ready to do as much for the preservation of our political institutions as they are doing to overthrow and destroy them—as much for the cause of stable government as they for the cause of treason and for the disorganization of society on this continent? I say the disorganization of society, for no man of reflection can doubt where secession would end if a Southern Confederacy should be successfully established.

"I cannot doubt that the people of this patriotic State, which you justly say has done so much for the country during the existing war, will respond to the call now made upon them. The alacrity and enthusiasm with which they have repeatedly rushed to arms for the support of the Government and the defence of the National flag from insult and degradation have exalted the character and given new vigor to the moral power of the State, and will inspire our descendants with magnanimous resolution for generations to come. This example of fidelity to all that is honorable and elevated in public duty must not be tarnished. The recent riots in this city, coupled as they were with the most atrocious and revolting crimes, have cast a shadow over it for the moment. But the promptitude with which the majesty of the law was vindicated, and the fearlessness with which a high judicial functionary is pronouncing judgment upon the guilty, have done and are doing much to efface what, under a different course of action, might have been an indelible stain upon the reputation of the city. It remains only for the people to vindicate themselves from reproach in the eyes of the country and the world by a cheerful acquiescence in the law. That it has defects is generally conceded. That it will involve cases of personal hardship is not disputed. War, when waged for self-defence, for the maintenance of great principles, and for the national life, is not exempt from the suffering inseparable from all conflicts which are decided by the shock of armies; and it is by our firmness and our patriotism in meeting all the calls of the country upon us that we achieve the victory, and prove ourselves worthy of it and the cause in which we toil and suffer.

"Whatever defects the act authorizing the enrolment and draft may have, it is the law of the land, framed in good faith by the representatives of the people; and it must be presumed to be consistent with the provisions of the Constitution until pronounced to be in conflict with them by competent judicial tribunals. Those, therefore, who array themselves against it are obnoxious to far severer censure than the ambitious and misguided men who are striving to subvert our Government, for the latter are acting by color of sanction under Legislatures and conventions of the people in the States they represent. Among us re-

sistance to the law by those who claim and enjoy the protection of the Government has no semblance of justification, and becomes the very blackest of political crimes, not only because it is revolt against the constituted authorities of the country, but because it would be practically striking a blow for treason, and arousing to renewed efforts and new crimes those who are staggering to their fall under the resistless power of our recent victories.

"In conclusion, I renew the expression of my anxiety to be assured by your Excellency at the earliest day practicable that the military power of the State will, in case of need, be employed to enforce the draft. I desire to receive the assurance because, under a mixed system of government like ours, it is best that resistance to the law should be put down by the authority of the State in which it occurs. I desire it also because I shall otherwise deem it my duty to call on the general Government for a force which shall not only be adequate to insure the execution of the law, but which shall enable me to carry out such decisive measures as shall leave their impress upon the mind of the country for years to come.

"I have the honor to be, very respectfully, yours,

"JOHN A. DIX, Major-general."

On the 14th of August — the day fixed for the renewal of the draft—and no answer having been received from the Governor, General Dix, believing that he could not rely on the State Executive for preventing the recurrence of fire, pillage, and murder by a display of power and will to crush opposition to the law of Congress, applied, though most reluctantly, to the Secretary of War for troops. On the following day the Governor wrote a letter which was regarded by General Dix as justifying the action he had already taken. It amounted, in effect, to this—that breaches of the peace, riots, etc., were infractions of the laws of the State of New York, and that he would see that the State laws were enforced; but that he could not assume responsibilities which belonged to others, so far as regarded laws of the United States, of which the particular law enforcing the draft was one. This was, practically, a negative reply to the question proposed by General Dix three weeks before; and it seemed probable that, unless he should be supplied with Federal troops, he might be unable to prevent fresh outbreaks.

I add the remainder of the correspondence, which tells its own story, and appears to justify the measures taken to preserve the peace of the city and to enforce the law:

"Executive Department, Albany, August 15, 1863.

"*To Major-general John A. Dix, U.S.A.,*

"*Commanding Department of the East:*

"SIR,—I have received the final answer of the President to my suggestions with regard to the draft in this State. I regret that he did not see fit to comply with my requests, as I am confident that a generous reliance upon the patriotism of the people to fill the thinned ranks of our armies by voluntary enlistments would hereafter, as it has heretofore, prove more effectual than any conscription. As I have fully expressed my views on this subject in my correspondence with the President, of which I send you a copy, it is not necessary to refer again to those topics.

"I had hoped the same opportunity would be afforded New York that has been given to other States, of showing to the world that no compulsory process was needful to send from this State its full quota of men to re-enforce our armies. As you state in your letter that it is your duty to enforce the act of Congress, and as you apprehend its provisions may excite popular resistance, it is proposed you should know the position which will be held by the State authorities. Of course, under no circumstances can they perform duties expressly confided to others, nor can they undertake to relieve others from their proper responsibilities. But there can be no violations of good order, no riotous proceedings, no disturbances of the public peace, which are not infractions of the laws of the State, and those laws will be enforced under all circumstances. I shall take care that all the executive officers of this State perform their duties vigorously and thoroughly, and if need be the military power will be called into requisition.

"As you are an officer of the general Government, and not of the State, it does not become me to make suggestions to you with regard to your action under a law of Congress. You will, of course, be governed by your instructions and your own views of duty; and it would be unbecoming in me to obtrude my opinions upon one who is charged with high responsibilities, and who is in no degree subject to my direction, or responsible to me for anything which he may do in accordance with his own judgment and in pursuance of his convictions of propriety.

"Yours truly, etc., HORATIO SEYMOUR."

"Head-quarters, Department of the East, New York City,
August 18, 1863.

"*His Excellency Horatio Seymour, Governor of the State of New York:*

"SIR,—I did not receive until last evening your letter of the 15th instant.

"Immediately on my arrival in this city on the 18th ultimo I called on you with General Canby; and in a subsequent interview with you at my head-quarters I expressed the wish that the draft in this State should be executed without the employment of troops in the service of the United States. In a letter addressed to you on the 30th ultimo I renewed, more formally, the expression of this wish, and stated that if the military power of the State could be relied on to enforce the draft, in case of forcible resistance to it, I need not call on the Secretary of War for troops for that purpose. In the same spirit, when some of the Marshals in the interior applied to me for aid against threatened violence, I referred them to you, in order that they might be protected by your authority. It was my earnest wish that the Federal arm should neither be seen nor felt in the execution of the law for enrolling and calling out the national forces, but that it might be carried out under the ægis of the State, which has so often been interposed between the general Government and its enemies.

"Not having received an answer from you, I applied to the Secretary of War on the 14th instant for a force adequate to the object. The call was promptly responded to, and I shall be ready to meet all opposition to the draft. I trust, however, that your determination, of which your letter advises me, to call into requisition the military power, if need be, to put down violations of good order, riotous proceedings, and disturbances of the public peace, as infractions of the laws of this State, will render it unnecessary to use the troops under my command for the purpose, and that their only service here may be to protect the public property and the officers of the United States in the discharge of their duties, and to give to those who intend to uphold the Government, as well as those who are seeking to subvert it, the assurance that its authority will always be firmly and effectually maintained.

"I am, very respectfully, your obedient servant,

"JOHN A. DIX, Major-general."*

"State of New York, Executive Department,
Albany, August 20, 1863.

"*To Major-general John A. Dix, commanding Department of the East:*

"SIR,—I have received yours, without date, in answer to my letter of

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* *See* Appendix, No. VII.

the 15th instant. You are already advised of the causes of my delay in answering the suggestions in your communication of the 30th of July. It is also proper I should state to you that no notice was given to me of the time when the draft would be made in the city of New York, neither was I advised of the draft which was begun in July and interrupted by riotous proceedings. I learned from the New York journals received here on Monday that the draft would be made on Wednesday, which gave me but one day's time in an unofficial notice on which to consult with the Generals commanding militia in the counties of New York and Kings.

"The notices sent to me by Colonel Fry advise me of the completion of the enrolment in the several districts, the number to be drafted, and the fact that the draft is ordered.

"I send you herewith a copy of one of these letters; they are all substantially alike. They do not state when the draft will be made; and in most cases several weeks, and in some instances more than a month, elapse before the draft is made. I therefore expected some interval between the notice and the draft. In the case of the Sixth District in New York the letter of Mr. Fry was received the day before the draft commenced.

"You will see that no time was allowed for getting credits for volunteers, for making suggestions or preparations. I do not know that the fault rests with Colonel Fry, but it is proper for me to state these facts.

"Truly yours, etc., HORATIO SEYMOUR."

It appears, from the foregoing correspondence, that it was the wish of General Dix that the law providing for the draft should have been executed under the protection of the military power of the State, in case of armed resistance to it, not only because such an arrangement would have given evidence of the cordial co-operation of the State authorities with the Federal Government in carrying out an important war measure, but also because it would have rendered unnecessary the withdrawal of troops from the field at a moment when they were actually employed in bringing the rebellion to a close. Had his application to the Governor been successful, he would not have asked the general Government to send into the State of New York a single soldier to aid in asserting its authority and protecting its officers from violence in the discharge of

their duties.* A Democrat himself, General Dix seems to have desired that the Executive of the State should have had the credit of standing by the cause of the country against its enemies, as did his Democratic predecessor in the war of 1812, and of bringing to the support of the Government the influence of his high position and of the great party in the State which had given him its confidence. It was, I know, a cause of bitter regret to him that his wishes were disappointed, and that he was compelled to take steps which would have been unnecessary if a man like Governor Morgan or General Wadsworth had been at Albany at that critical hour.

It is a curious fact that certain Republicans of the radical sort were busily engaged at that time in making efforts to get General Benjamin F. Butler sent to command in New York, in view of the draft. It was suspected that they wanted a riot, and to see a few hundred "copperhead" corpses—it would have had a good political effect in firing men's minds against the South. General Dix was represented by that class of persons as too mild and conservative; in other words, he could not be ruled in the interest of any faction, but occupied a broad, national ground. It was precisely so during his administration at Baltimore: he was attacked as savagely by the radical Union men as by the organs of secession; he was represented as too lenient, as secretly sympathizing with the public enemy, as slow and over-cautious. It was a proof that he was strictly just, and that fanaticism, whether loyal or disloyal, found no comfort from him. If the provocation of General Butler's appointment to command in the city of New York had been given, there might have been dead bodies in the streets, but possibly they would have been of a different class of our citizens. Here, as in Baltimore, the presence of a man of good-sense,

* A statement under General Dix's signature to this effect and in these precise words—which I have copied from his communication—will be found in the *New York Evening Express* of August 28, 1863.

sound judgment, and even temper was the guarantee of peace.

In his letter of August 18 General Dix stated that his call on the Government for such a force as would be sufficient to keep the peace had been promptly responded to, and that he should be ready to meet all opposition to the draft. The following papers show how complete were his arrangements for maintaining the law of Congress and keeping the peace in a city which had recently been the theatre of horrible scenes of riot, battle, pillage, and murder:

"War Department, Washington City, August 15, 1863.

"GENERAL,—We are sending you ten thousand infantry and three batteries of artillery. These are picked troops, including the regulars. If you need cavalry, we can, perhaps, send you five hundred. They are embarking at Alexandria to-day, and will all reach you by Monday.

"Yours truly, EDWIN M. STANTON.

"Major-general DIX."

"War Department, Washington City, August 15, 1863.

"GENERAL,—Enclosed herewith I send you, by the hands of Colonel Fry—

"1. A proclamation by the President to be used by you in case of any necessity arising for the employment of military force to overcome unlawful combinations against the authority of the general Government in executing the act of Congress to enroll and call out the National force. Of this necessity you are authorized to be the judge; and, if it arises, you will fill up the blanks and promulgate the proclamation. The original, with the great seal, remains with the archives of the Government in the State Department.

"2. A call upon the Governor of New York by the President notifying him that the Militia are called forth, and requesting him to issue orders to Major-general Sandford.

"The use of this paper is left to your discretion. It has occurred to the President that it may be proper and serviceable to put upon Governor Seymour a call for assistance, and let him render it, or shoulder the responsibility of refusing. It is not supposed that this call is essential to the authority of the President, or that the assent or obedience of Governor Seymour affects the right or power of the President to issue an order to General Sandford directly. But it may be an expedient

courtesy, of which you are to judge, and which you should have the means of employing, if you think proper.

"A blank is left for you to fill up with the State of New York, or any specific districts, as the case may require, and also a blank for date to be filled.

"3. An order by the President upon General Sandford to report to you.

"The date, and also the blank for State or specific districts, are to be filled up by you.

"You will be apprised by the Provost-marshal General what re-enforcements will be sent forward. He will confer with you. Any farther aid or direction you may require will, on notice, be given, if in the power of the Government. In your energy, courage, and discretion the utmost confidence is placed by the Government. Yours truly,

"EDWIN M. STANTON, Secretary of War.

"Major-general DIX."

"'Executive Mansion, Washington, ——, 1863.

"'*His Excellency Horatio Seymour, Governor of the State of New York:*

"'Whereas, by reason of unlawful combinations against the authority of the Government of the United States, it has become impracticable, in my judgment, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within—

"'Therefore: I, Abraham Lincoln, President of the United States, do call forth the Militia of the State of New York, to aid in suppressing said combinations and opposition to said laws. And I do respectfully request and direct that, for this purpose, your Excellency do forthwith order Major-general Sandford, with his command, to report for orders to Major-general John A. Dix. ABRAHAM LINCOLN.'

"'Executive Mansion, Washington, ——, 1863.

"'*To Charles W. Sandford,*

"'*Major-general of Militia for the State of New York:*

"'Whereas, by reason of unlawful combinations against the authority of the Government of the United States, it has become impracticable, in my judgment, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within—

"'Therefore: I, Abraham Lincoln, President of the United States, do call forth yourself and your command, as part of the Militia of the State of New York, to aid in suppressing said combinations and opposition to said laws; and I do order and direct that, for this object, you report forthwith to Major-general John A. Dix. ABRAHAM LINCOLN.'"

All necessary arrangements having been completed, and the time having arrived for the enforcement of the supreme law of the land as enacted by Congress, General Dix issued the following proclamation:

"Head-quarters, Department of the East, New York City,
August 17, 1863.

"*To the Citizens of New York:*

"The draft of men in this city to replenish the ranks of the army, in order to complete more speedily the suppression of the insurrection in the South, having, in consequence of forcible resistance to the execution of the law, been placed under my direction, as commanding officer of the forces of the United States in this Military Department, I have thought it not out of place to present to you some suggestions for your consideration as friends of the Union and of the good order of society.

"The law under which the draft is to be made is for enrolling and calling out the National forces. It is founded on the principle that every citizen, who enjoys the protection of the Government and looks to it for the security of his property and his life, may be called on in seasons of great public danger to take up arms for the common defence. No political society can be held together unless this principle is acknowledged as one to which the Government may have recourse when its existence is in peril. There is no civilized country in which it is not recognized.

"The law authorizing the draft has been persistently called a conscription law by those who desire to make it odious and defeat its execution. It is in no just sense a conscription like that which was put in force in the sixth year of the French Republic, and abandoned on the restoration of the Bourbons, on account of its oppressive exactions. It is a simple law for enrolling and calling into the service the arms-bearing population of certain ages, and differs in no essential principle from the law authorizing the Militia to be called out, excepting that in the latter case complete organizations are brought into the field. The object of the very provisions of the law which are most beneficial to individuals has been most grossly perverted. If a drafted man finds it inconvenient to serve, he is allowed to furnish a substitute, or to purchase his exemption from service by paying the smallest sum of money for which substitutes are ordinarily obtained. Both these provisions have the same purpose—to provide for cases of hardship; and if either were stricken out, these cases would be proportionably increased in number.

"The draft about to be made is for one-fifth part of all persons between twenty and thirty-five years of age, and of the unmarried between thirty-five and forty-five. The entire class between eighteen and thirty-

five was long since drafted in the seceded States; and the draft has recently been extended to embrace nearly the whole arms-bearing population. Compared with the burden they are sustaining ours is as nothing. The contest on our part is to defend our nationality, to uphold the institutions under the protection of which we have lived and prospered, and to preserve untarnished the proud memories of our history—brief, it is true, but full of high achievements in science, in art, and in arms. Shall we, in such a cause, shrink from labors and sacrifices which our misguided brethren in the seceded States are sustaining in the cause of treason and social disorganization? For the honor of New York let us take care that the history of this rebellion, more vast than any which has ever convulsed a nation, shall contain nothing to make our children blush for the patriotism of their fathers.

"Whatever objection there may be to the law authorizing the draft, whatever defects it may have, it is the law of the land, and resistance to it is revolt against the constituted authorities of the country. If one law can be set at defiance, any other may be, and the foundations of all government may be broken up. Those who, in the history of political societies, have been the first to set themselves up against the law have been the surest victims of the disorder which they have created. The poor have a far deeper interest in maintaining the inviolability of the law than the rich. Property, through the means it can command, is power. But the only security for those who have little more than life and the labor of their own hands to protect lies in the supremacy of the law. On them, and on those who are dependent on them, social disorder falls with fatal effect.

"The constitutionality of the law authorizing the draft has been disputed. Near the close of the year 1814, when the country was engaged in war with Great Britain, a similar law was recommended to Congress by the Government, to draft men to fill the ranks of the army, which was gallantly battling, as our armies are now, for the nation's honor and life. Madison, one of the great expounders of the Constitution, which he took a prominent part in framing, was President. Monroe, his successor, then acting both as Secretary of State and Secretary of War, addressed to the House of Representatives a lucid argument in support of the right of Congress to pass such a law. Alexander J. Dallas was Secretary of the Treasury; William Jones, Secretary of the Navy; Return J. Meigs, Postmaster-general; and Richard Rush, Attorney-general. The measure could not well have received a higher party sanction. All laws passed with the established legislative forms are valid until declared otherwise by judicial tribunals of competent jurisdiction. What would become of a people in critical emergencies if no law could be carried into

effect until it had passed the ordeal of the courts? or if State or municipal authorities could arrest its execution by calling in question its conformity to the provisions of the Constitution? The President has promptly consented to have it tested by judicial interpretation; but while the car of victory is moving on, and treason is flying before it, God forbid that the State of New York or its constituted authorities should attempt to stay its progress until the judicial process can be consummated.

"The accuracy of the enrolment in the city districts having been impeached, a revision was immediately ordered by the President, on a representation from the Governor of the State. But as the men are needed for immediate service, and as the correction of the returns requires time, the quota was ordered to be reduced in all the districts—in some more than half the whole amount—leaving the account for future adjustment. The reduction in the quota exceeds in proportion the alleged excess of the enrolment; so that no personal injustice can possible occur.

"Under these circumstances no good citizen will array himself, either by word or deed, against the draft. Submission to the law in seasons of tranquillity is always the highest of political duties. But when the existence of the Government is in peril he who resists its authority commits a crime of the deepest turpitude. He is the voluntary instrument of those who are seeking to overthrow it, and becomes himself a public enemy. Moreover, resistance to the Government by those who are living under its protection, and are indebted to it for the daily tenure of their property and their lives, has not even the palliation under which those who lead the insurrection at the South seek to shelter themselves—that they are acting under color of authority derived from Legislatures or conventions of the people in their respective States. With us resistance to the constituted authorities is both treason and lawless violence; and if there are any who thus combine to re-enact the scenes of cruelty and devastation by which this city has recently been dishonored, and to defeat by force of arms the execution of the paramount law of Congress, they will be treated as enemies of the country and mankind.

"Returning among you from a distance, fellow-citizens, after more than two years of military service in the cause of the Union, to uphold which this city has, in all emergencies, stood forth with a manly patriotism worthy of her high position—having no feeling but to see her good name preserved without blemish, no wish but that she may continue, as she has ever been, the most orderly of the great commercial towns of the age—I have ventured to address to you these suggestions, to exhort you to the maintenance of order, to obedience to the laws, and to the quiet pursuit of your accustomed avocations, while the draft is in progress.

"Should these suggestions be disregarded by any among you, and renewed attempts be made to disturb the public peace, to break down the barriers which have been set up for the security of property and life, and to defeat the execution of a law which it is my duty to enforce, I warn all such persons that ample preparation has been made to vindicate the authority of the Government, and that the first exhibitions of disorder or violence will be met by the most prompt and vigorous measures for their repression. JOHN A. DIX, Major-general."

The draft began on Tuesday, the 18th of August, and was continued for several days, without opposition. The arrangements for keeping order and enforcing obedience to the law were perfect, and the violent and disaffected classes dared not move. What would have been the issue, had they ventured on seditious demonstrations, may be inferred from the character of the commander of the Department and the resolute policy of the Government which he represented. His orders on that day indicate that there would have been no trifling, and that a terrible example would have been made had any rioter ventured to disturb the quiet of the city. A letter to General Halleck runs as follows:

"Head-quarters, Department of the East, New York City,
"August 16, 1863.

"*Major-general H. W. Halleck, General-in-chief:*

"GENERAL,—I am much gratified by the prompt and efficient preparation made by the Government to sustain its authority. I trust it will overawe resistance, and under any circumstances it will have a salutary effect. You need not fear that the rioters, if they show themselves, will be tenderly treated. My orders on the day I took command were (1): to use no blank cartridges, and (2) not only to disperse the mob, but to follow them up, and so deal with them that the same persons should never be assembled again.

"I went out with General Canby yesterday and selected the positions to be occupied by the troops, some of whom we hope to see to-morrow morning.

"I am, very respectfully, your obedient servant,
"JOHN A. DIX, Major-general."

I may add here that I was informed by my father—and made a memorandum of the statement at the time—that he

had received assurances from the highest authority to this effect, that, in case of a difference between the State Executive and the National Government, the First Division would obey the orders of the latter, and act with the United States forces.

Regarding the question of the draft as one of the most important of all which were raised during the course of the war, I have given, in the Appendix to this volume,* a letter addressed by General Dix to the "War Democracy" of Wisconsin, and dated at New York, September 9, 1863. To this the reader is referred who desires to know not only the views of my father on that subject, but also the considerations and arguments by which they were supported. He will likewise find there a memorandum of the views held and expressed at the Hartford Convention, January 4, 1814, on this subject, together with an extract from the report of James Monroe, then a Cabinet minister, in which he strenuously asserts the right of a government to raise troops in that way if it should be necessary.

General Dix retained command of the Department of the East, with his head-quarters in the city of New York, during 1864. The days passed slowly and wearily, with the usual alternations of hope and fear, conflicting reports from the field agitating the community from day to day. Varying opinions were held as to the movements of General Grant. It was known that men were falling by the thousand in "that great and terrible Wilderness," and that the armies on either side were clinched in a desperate and final struggle. One while we heard that Lee was retreating, and that things looked well for the National cause; another while it seemed all but certain, during some sudden raid, that Baltimore would be captured at last, and Washington completely cut off. Thus did we hang in suspense between elation and despondency; while a portion of the Democracy, assembled at Chicago to make a nomina-

* Appendix, No. VIII.

tion for the approaching Presidential election, announced their conviction that the time had come to negotiate a peace, which would have practically left the victory in the hands of the insurgents. To this policy General Dix, with the "War Democrats," as they were commonly called, was strenuously opposed. Sent West, by orders from Washington, on some delicate and difficult business of state, he happened to be at Sandusky, Ohio, on the 27th of September. A great crowd assembled, and called for him at the doors of the hotel. Addressing them briefly, he expressed his view of the duty of the hour in the following terms:

"I am very thankful to you for the honor you have done me. As I arrived here late to-night, am engaged in public business, and shall depart at an early hour in the morning, I know you will excuse me if I limit what I have to say to a simple acknowledgment of your kindness and courtesy.

"I will say one word, however, on the subject which lies nearest the heart of every loyal man—I mean the rebellion. It has been my conviction from the beginning that we can have no honorable peace until the insurgent armies are dispersed, and the leaders of the rebellion expelled from the country. I believe that a cessation of hostilities would lead inevitably and directly to a recognition of the insurgent States; and when I say this I need hardly add that I can have no part in any political movement of which the Chicago platform is the basis. The only hope of securing an honorable peace—a peace which shall restore the Union and the Constitution — lies in a steady, persistent, and unremitting prosecution of the war; and I believe the judgment of every right-thinking man will soon bring him to this conviction."

With these expressions a vast majority of the people were, no doubt, in accord; and it was this indomitable determination which, within six months from that time, brought the fearful contest to an end.

General Dix's services to the country and the city during the last year of his military command were great, though not

of that kind which attracts the admiration of the multitude. New York was still restless. It needed a strong hand over it; and the property and lives of the people were the more safe from the presence of the resolute old soldier, who was determined to keep the peace at all hazards, and defeat the designs of seditious men. We had among us at that time persons resolved on mischief, and in the secret employ of the enemy of the Republic; and these were coming and going, apparently, without hinderance and at their will. But in fact a secret-service force had been organized, which was probably as perfect for the time being as those of European states; and by means of its agents and detectives the movements of every person regarded as dangerous were traced from hour to hour, and known as well at Head-quarters as among his own companions. I recall an instance of the kind in which a woman was utterly confounded by an accurate statement of all her actions within the week preceding the official suggestion that her immediate departure from New York was imperatively requested by the military authorities. There was no such thing as hiding from the vigilant eyes which, during those months of peril, were watching every one to whom the slightest suspicion was attached.

The fall elections, also, were the occasion of no little anxiety. They came on the 8th of November. There was a general feeling of relief when the day was over. No one knew what might occur within the hours for voting, but a salutary impression prevailed that disturbers of the peace would be handled without mercy. The weather was very disagreeable —fog, rain, and mud. The polls were open, as usual, from sunrise to sunset. It was the most quiet election that had been held for years; very few drunken persons were seen; in only one ward was there anything approaching to a fight; and yet not a soldier could be seen about the places set apart for voting, while even the police passed an unexpectedly quiet day. But up and down the rivers, on both sides of the city, and lining its entire front, vessels were lying filled with

regular troops, who could have been landed at any instant and at any point, and a detachment of one thousand men was at the Battery, ready for duty if wanted. That the profound peace of the city was due to the Commander of the Department, and to his wise arrangements and ample provision for any emergency, is undoubtedly the case. But more than force was used on that occasion; his good-sense and knowledge of affairs came in play also. On the Sunday preceding the election there was not, probably, in the city of New York a more anxious and embarrassed person than he. The requisition made by him on the War Department for a large force of regular troops, to be under his orders during the election, was complied with; but to his astonishment the Government sent with them a general officer of whose discretion and good-sense he had no opinion whatever. This person, immediately on his arrival, prepared a proclamation, or order of some kind, of an incendiary character, which, if published, would have tended to produce the disorders which General Dix desired to avert. He promptly interposed, prohibiting its publication; on which the officer referred to telegraphed for permission to publish and put forth whatever he thought fit, and for a while it seemed difficult to tell who was in command in the city of New York.

The following correspondence affords an illustration of General Butler's mode of assuming powers which he had no right to exercise, and his disregard of the courtesies due from one officer to another:

"Head-quarters, Armies of the United States, City Point, Va., November 15, 1864.

"*Major-general J. A. Dix, Commanding Department of the East:*

"GENERAL,—I understand General Butler, while in New York, had one Mr. Bergholz, a citizen of Columbia, South Carolina, arrested and sent to Fort Hamilton. I have never seen Mr. B., but have heard from him and of him, and believe he is and always has been a friend of the Government. He is a German—Prussian, I think—who left the North for the South prior to the war, and, on account of having accumulated some property there, felt himself compelled to remain, until, fearing the

conscription, probably, he has left. Before hearing that Mr. B. was in arrest I had sent a pass to him to visit me at my head-quarters, for the purpose of getting from him more particular or minute information upon matters in the South than that already received from him in writing.

"If there are not special charges against him of which I know nothing, I wish you would have Mr. Bergholz released and permitted to visit me at head-quarters, without exacting from him an oath of allegiance.

"Very respectfully, your obedient servant,

"U. S. GRANT, Lieutenant-general.

"P.S.—I have no doubt but Mr. Bergholz may have had a permit to leave the South obtained solely on account of intimacy between himself and Mr. Trenholm, the rebel Secretary of the Treasury.

"U. S. G."

"Head-quarters, Department of the East, New York City, November 18, 1864.

"*Lieutenant-general U. S. Grant, General-in-chief:*

"GENERAL,—I have the honor to acknowledge the receipt of your letter of the 15th instant in regard to the arrest of Mr. Bergholz by Major-general Butler, of which I had previously received no intimation whatever. Had I been apprised of it, I should have directed him (Mr. B.) to be sent to my head-quarters for examination. I have always regarded the arrest of citizens as a high prerogative, and even when in the field have required persons taken into custody by my subordinate commanders to be reported to me immediately, with a written statement of the grounds of arrest. Mr. Bergholz was sent to Fort Hamilton without any notice to me, and without any charges against him. General Butler had no geographical command, and the arrest and confinement of Mr. Bergholz were altogether without authority.

"I enclose herewith authenticated copies of the report of Major Woodruff, commanding at Fort Hamilton, and the order under which Mr. Bergholz was sent there by General Butler.

"I am, very respectfully, your obedient servant,

"JOHN A. DIX."

The episode of the "Forged Proclamation" deserves mention in this place. The facts which I am about to relate occurred soon after Lee's retreat before Grant after the bloody battle of the Wilderness. President Lincoln had sent a brief message of congratulation to the people of the United States, recommending them to unite in common thanksgiving and

prayer to Almighty God; but the general feeling was one of uneasiness and intense solicitude, in view of the uncertainties of the situation between the line of the Rapidan and the capital of the Confederacy. It was at that moment that the sharp trick to which I refer was planned and carried out with partial success.

It was Wednesday, the 18th of May, 1864, and steamer-day, the *Scotia* being in readiness to sail at noon. About a quarter past three o'clock that morning two men connected with the *Journal of Commerce*, on leaving the office of that paper, were met by a boy about seventeen years old, clad in poor garb, who was waiting at the counting-room door. In reply to their inquiries who he was and what he wanted he told them that he had news for them by telegraph, and handed them what purported to be a proclamation by the President. It was taken to the foreman, who at once had it put into type. Copies were in like manner sent to the offices of the other city papers. It was published, however, only in the *Journal of Commerce* and the *World*. The readers of those papers found before them, at breakfast time, the following astounding document:

"PROCLAMATION BY THE PRESIDENT.

"A DAY OF FASTING RECOMMENDED. — CALL FOR FOUR HUNDRED THOUSAND TROOPS.

"'Executive Mansion, May 17, 1864.

"'*Fellow-citizens of the United States:*

"'In all seasons of exigency it becomes a nation carefully to scrutinize its line of conduct, humbly to approach the Throne of Grace, and meekly to implore forgiveness, wisdom, and guidance.

"'For reasons known only to Him it has been decreed that this country should be the scene of unparalleled outrage, and this nation the monumental sufferer of the nineteenth century. With a heavy heart, but an undiminished confidence in our cause, I approach the performance of a duty rendered imperative by my sense of weakness before the Almighty and of justice to the people. It is not necessary that I should tell you that the first Virginia campaign under Lieutenant-general Grant, in whom I have every confidence, and whose courage and fidelity the

people do well to honor, is virtually closed. He has conducted his great enterprise with discreet ability. He has crippled their strength and defeated their plans. In view, however, of the situation in Virginia, the disasters at Red River, the delay at Charleston, and the general state of the country, I, Abraham Lincoln, do hereby recommend that Thursday, the twenty-sixth day of May, A.D. 1864, be solemnly set apart throughout these United States as a day of fasting, humiliation, and prayer.

"'Deeming furthermore that the present condition of public affairs presents an extraordinary occasion, and in view of the pending expiration of the service of (100,000) one hundred thousand of our troops, I, Abraham Lincoln, President of the United States, by virtue of the power vested in me by the Constitution and the laws, have thought fit to call forth, and hereby do call forth the citizens of the United States between the ages of (18) eighteen and (45) forty-five years, to the aggregate number of (400,000) four hundred thousand, in order to suppress the existing rebellious combinations, and to cause the due execution of the laws.

"And furthermore, in case any State or number of States shall fail to furnish by the fifteenth day of June next their assigned quota, it is hereby ordered that the same be raised by an immediate and peremptory draft.

"'The details for this object will be communicated to the State authorities through the War Department.

"'I appeal to all loyal citizens to favor, facilitate, and aid this effort to maintain the power, the integrity, and the existence of our National Union, and the perpetuity of popular government.

"'In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

"'Done at the City of Washington this seventeenth day of May, in the year of our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-eighth.

"'(Signed) ABRAHAM LINCOLN.

"'By the President.

"'WM. H. SEWARD, Secretary of State.'"

The fraud was very soon discovered, and the greatest exertions were made by the editors thus compromised to counteract any mischief which might have been done. Even the regular routine of the offices on "steamer-day" was suspended, and every person in the employ of those papers was engaged in efforts to stop the circulation of that part of the morning edition containing the forgery, and particularly to prevent, if

possible, a single copy from getting to Europe by the steamer. On the arrival of the day clerk at the office of the *World*, soon after 8 A.M., the sale over the counter was summarily stopped, nor was it resumed at a later hour. The bulletin boards were covered with announcements of the forgery; slips were printed and distributed as widely as possible, detailing the circumstances of the deception; a reward of $500 was offered for the discovery of the forger; and Mr. Cunard was informed of the facts, and the papers usually sent to him were stopped and destroyed.

General Dix immediately commenced an investigation of the fraud, and wrote the same day to the Secretary of War, exonerating the editors of the city newspapers from the charge of complicity with the affair, assuring the Government that the authors of the crime would probably be soon detected, and promising in that case their immediate arrest and punishment. But, unfortunately, the Secretary of War—no doubt under the influence of passionate excitement—obtained an order from the President for the immediate arrest of the editors, proprietors, and publishers of the *World* and *Journal of Commerce*. The General commanding the Department obeyed his orders, as a matter of course, though fully aware of the blunder made by his chief; a blunder of which Mr. Stanton became almost immediately sensible, as he countermanded his order on the following day. It is the first duty of the soldier to obey. General Dix had nothing to do but to execute the orders of the President, and no responsibility for them; nor could he have evaded that duty excepting by resignation of his commission, a step not to be thought of for a moment in time of war and at a most critical hour in the history of the country. And yet, because he acted on that occasion as became a soldier, he was made, for a long time afterward, the mark of invidious criticism, and was compelled to bear the blame of another's rashness.

The following letters are the last that I have of the official correspondence on this subject:

"Head-quarters, Department of the East, New York City,
May 20, 1864.

"*Hon. E. M. Stanton, Secretary of War:*

"I have arrested and am sending to Fort Lafayette Joseph Howard, the author of the forged Proclamation. He is a newspaper reporter, and is known as 'Howard of the *Times*.' He has been very frank in his confessions—says it was a stock-jobbing operation, and that no person connected with the Press had any agency in the transaction except another reporter, who manifolded and distributed the Proclamation to the newspapers, and whose arrest I have ordered. He exonerates the Independent Telegraphic Line, and says that the publication on a steamer-day was accidental. His statement, in all essential particulars, is corroborated by other testimony. JOHN A. DIX, Major-general."

The letter addressed to Secretary Stanton on the afternoon of the day forms a part of the history of the case. It is marked "confidential:"

"Head-quarters, Department of the East,
New York City, May 18, 1864.

"*Hon. E. M. Stanton, Secretary of War:*

"I am investigating the gross fraud of this morning. The paper purporting to be a Proclamation of the President was handed in to the offices of the city newspapers at four o'clock, written on thin manifold paper of foolscap size, like the despatches of the Associated Press. In handwriting and every other respect it was admirably calculated to deceive. It was published in the *World* and *Journal of Commerce*. None of the responsible editors of either paper were present. As soon as the editors of the *World* discovered the fraud they announced it on their bulletin, and they have offered a reward of five hundred dollars for the detection of the author. It was printed by the *Herald*, but none of the copies were issued, the fraud having been discovered before they left the office. I have sent to all the newspapers for their manuscripts, and have received three. They are alike in respect to paper and handwriting. I think the authors will be detected, and I need not add that I shall in that case arrest and imprison them for trifling in so infamous a manner with the authority of the Government and the feelings of the community at this important juncture in our public affairs.

"Since writing the above the President's order for the arrest of the editors, proprietors, and publishers of the *World* and *Journal of Commerce* has come to hand. I shall execute it, unless the foregoing information shall be deemed sufficient by the President to suspend it until my investigation is concluded. JOHN A. DIX, Major-general."

Another of the events of the year was the opening of the great Fair in aid of the Sanitary Commission for the relief and care of our wounded soldiers. This occurred on the 4th of April. It was marked by unusual proceedings. General Dix ordered a review of the troops that afternoon; there were three thousand regulars and some seven thousand men of the First Division of the New York State National Guard. In the evening the General presided at the opening ceremonies in the Armory of the Twenty-second Regiment, in Fourteenth Street, and made an address. The Fair was completely successful as regards taste, beauty, and splendor, including a fine exhibition of paintings, and a large collection of arms and trophies. There was also an "Annex," in Union Square: this should have been opened on the same day, but delays enforced a postponement, and this was the occasion of a scene so absurd, that I, who bore a painful part in it, cannot refrain from describing my sufferings and those of my friends on the occasion referred to.

The building was at the north end of Union Square, between Broadway and Fourth Avenue. It included a music hall, which had been let to the "Liederkranz" for evening concerts during the continuance of the Fair. On Wednesday evening the hall was filled by a large audience, expecting music. But the managers of the Fair had made their arrangements to open the building that very evening, three days after time, with prayer, addresses, and other ceremonies, which were to be conducted in the music hall. I had been invited to officiate as chaplain, while Mr. Samuel B. Ruggles and President Charles King, of Columbia College, were to speak. Repairing to the spot about seven o'clock, I found myself in a dense crowd outside the building, through which I forced my way toward the door, while a friend endeavored to open a passage for me, announcing that I was the chaplain and had to officiate within. This news was received with infinite merriment and derisory jests, the people congratulating themselves on my plight. Failing to get to the door, we went to the back of

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the building, where, having my black gown rolled up and under my arm, I was mistaken for a Liederkranz musician and admitted by the door-keeper. The room of the Executive Committee was crowded with the best people in New York, but all in utter confusion. About eight o'clock we formed a procession, headed by several ladies in evening dress, and, advancing into the hall, ranged ourselves on the platform, just as the orchestra was about to commence. The audience, who had paid an extra price for their tickets, and were not expecting inauguration ceremonies, gazed on our entrance with amazement, but appeared stupefied when I arose, clad in black silk robes, and made a prayer. From this they passed to indignation when Mr. Ruggles, pulling a manuscript from his pocket, began to read a speech. In spite of interruptions he completed it; and the musicians then got their innings and performed a piece. But this done, President King, adroitly seizing the opportunity, began a harangue, at which the rage of the audience rose to such a pitch that we thought it safe to beat a retreat to the committee room. Once there, it was found that we were in a *cul-de-sac*, and could not get out except by re-entering the hall. When the audience saw us, ladies, chaplain, orators, and all, coming back, they actually rose to their feet in fury, conceiving a design on our part to attempt to resume the ceremonies; but with crestfallen looks and deprecating gestures we subdued their wrath, and were allowed to make our way out, amid comments, criticisms, and injurious observations. Mr. George T. Strong and I, totally demoralized, sought refuge in the Fourteenth Street building, and thus ended a most ridiculous scene.

Among the many incidents which attracted attention during the progress of the Fair was that of the presentation of a flag to General Dix. Mention has already been made of it, with a promise of the full particulars in their place. The flag is now in my possession. It measures six feet six inches by six feet, and is of blue silk; on each side is embroidered the figure of Liberty, surrounded by rays of light, together

with a device consisting of the final sentence of the despatch so often referred to and now so familiar. It is mounted on a staff, having this inscription engraved on a silver plate:

THIS FLAG,

DESIGNED AND EXECUTED BY A LOYAL WOMAN AND PATRIOTIC ARTIST,

WAS PRESENTED TO

Major-general John A. Dix,

THROUGH THE METROPOLITAN FAIR

IN AID OF THE

UNITED STATES SANITARY COMMISSION:

New York, April 4, 1864.

The account of the presentation is as follows:*

"PRESENTATION.

"During the evening of Saturday, April 23, the closing day of the Fair, the beautiful flag which had been exhibited in the Art Gallery was presented to Major-general John A. Dix, President of the Metropolitan Fair Association. The Committee of Arrangements—Messrs. Acton, Lang, Kensett, and Cannon—took possession of the Art Gallery for the occasion. An open space in the centre was appropriated for the Ladies' Executive Committee and the Gentlemen's Executive Committee, around which gathered a large and brilliant audience, including General Anderson, General de Trobriand, Mr. Bancroft, and other distinguished persons. When everything was in readiness the Gentlemen's Executive Committee, headed by its chairman, Mr. George Griswold Gray, escorted General Dix to the gallery, the band playing 'Hail to the Chief.'

* "Presentation to Major-general John A. Dix, President of the Metropolitan Fair in Aid of the United States Sanitary Commission, New York: April 23, 1864. Francis & Loutrel, Stationers and Printers, 45 Maiden Lane, New York. 1864." 8vo, pp. 10.

"Mr. Charles Tracy, on behalf of the Joint Executive Committee, introduced the presentation by addressing the audience as follows:

"'In January, 1861, General Dix was Secretary of the Treasury of the United States, and as such had the direction of the revenue-cutter service. On the 29th of January, 1861, he sent a telegram to the Treasury agent at New Orleans, containing the remarkable words, "If any one attempts to haul down the American flag, shoot him on the spot." This message was drawn up by General Dix, in his own handwriting, on a sheet of note-paper, and signed by him; it was then given to a clerk, copied and directed, and was signed by General Dix, and telegraphed over the wires to his agent at New Orleans. The original draft, in the General's handwriting throughout, is now in this city;* and the copy now exhibited to you is a photographed fac-simile of the original draft, which you see was written freely, and has no mark of correction or change in word or letter.'

"Mr. Tracy here read the order:

"'This was nearly three months before the firing upon Fort Sumter; and these strong, patriotic words not only went through the electric wires to the Treasury agent, but produced an electrical excitement in the heart of the whole country. The office of the Secretary of the Treasury usually has been deemed peculiarly a civic one; but on this occasion, fortunately, it was in the hands of a veteran soldier, prompt to do the right thing at the right time.

"'The effect of this noble, brave, and timely utterance, at the very beginning of our troubles, in awakening the popular mind and giving it a right direction, cannot be over-estimated.

"'The message, unfortunately, reached the agent too late: the American flag was hauled down, and the man who did it

* It now hangs in my library at Trinity Rectory.

was not shot. The cutter was taken into the rebel service as a vessel of war; and on the capture of New Orleans her rebel commander set her on fire and abandoned her. While she was in flames an officer of our revenue service, now an officer in the navy—Lieutenant Ritchie—rushed on board and brought away the rebel flag which was flying on the cutter, and also the identical American flag which had been hauled down. Both these flags are now before you. This [producing the latter] is the American flag. You see it here fastened to the staff, union down. That was the work of the rebels, who have tried so hard to bring into reproach our sacred colors, and generally to turn the world upside down, but are signally failing in both attempts. Let us turn it right side up [reversing it]. You see it thus, the Union flag of the revenue service; like the flags of the army and navy, except that its stripes are vertical, and it bears a dark eagle on a white field.'

"The rebel flag was then produced; and, after several attempts of the Committee of Arrangements, it was found to be so caught and entangled that it could not be well unfolded; and the speaker dismissed it, saying that, 'like all other inventions of the rebellion, it was impossible to make them work right or appear respectable.'

"Mr. Tracy proceeded: 'As a memorial of this order, a superb flag has been given to the Metropolitan Fair Association, for the purpose of being presented to General Dix, as President of that Association. It was eminently proper that the closing scene of the Fair should be chosen for the presentation; for, while the zeal, energy, and liberality of so many humane ladies and gentlemen have been devoted to this enterprise, General Dix has been at all times their head, as President of the Metropolitan Fair Association. The design was by a patriotic artist, Mr. Leutze; and a patriotic lady, Mrs. Blodgett, was at the expense of having it made and embroidered. The flag is, therefore, the gift of Mr. Leutze and Mrs.

Blodgett to the Association for the purpose of being thus presented. Many citizens desiring to join in the testimonial to General Dix, a signature book was provided, in which they inscribed their names, declaring that they "gladly enrolled themselves among the friends and admirers of a brave heart and a ready hand in the day of oppression and danger." This beautiful book, which now accompanies the flag, was presented first to the President of the United States, and [producing the book] you see the first signature is "A. Lincoln."

"'Speaking of this distinguished personage, a little anecdote will not be out of order. After the President had thus written his name, without title, a gentleman present hinted, might it not be well to add, "President of the United States?" Mr. Lincoln, resting his head on his right hand, meditated a moment, and then replied, "No, I think I'll not write under it, 'This is a horse.'"

"'The next signature is that of the Vice-President. Then follow General Scott, Judges of the Supreme Court of the United States, members of the Cabinet, Senators, Representatives in Congress, and a great number of patriotic citizens. The three flags have been in this gallery during the Fair, and the book has been kept open for signatures under the care of Madame de Trobriand, until, as it now goes to General Dix, it has become a remarkable and valuable collection of autographs.'

"The presentation flag was then displayed, and Mr. Tracy added, 'You perceive the design. It is the figure of Liberty, rising from her seat, grasping the American flag with one hand and holding the thunder-bolts with the other, and the motto is in the immortal words of General Dix himself, "IF ANY ONE ATTEMPTS TO HAUL DOWN THE AMERICAN FLAG, SHOOT HIM ON THE SPOT."

"'The flag itself is of the richest materials, elaborately wrought, and is in all respects in the highest style of the decorative art.'

"Mr. Tracy then addressed General Dix as follows:

"'General Dix,—On behalf of the Metropolitan Fair Association, I present this flag to you, as its President. Receive it as a memorial of the noble act it was designed to commemorate; and also as a token of the profound regard and lively attachment of all the members of the Metropolitan Fair Association for yourself, as their leader and head—pre-eminently earnest, efficient, and wise in all labors of sympathy and aid for our suffering soldiers, and a bright example of loyalty, patriotism, and usefulness on all occasions, from the commencement of the war to the present day.'

"General Dix received the flag from Mr. Tracy, and responded as follows:

"'Mr. Tracy—I am very much at a loss for words to express to you my thanks for your courtesy, to the Managers of the Metropolitan Fair for the honor they have done me, to the accomplished lady to whom this presentation is primarily due, for her kindness and liberality, and to the distinguished artist by whom this flag was designed. I fear, sir, that you have attributed to me far greater merit than I deserve. When I gave the order which this flag is designed to commemorate, I only considered myself as performing a duty which I could not have left undone without infidelity to the country. It was a season of severe trial, without doubt; but I felt every day and every hour that we were dishonored by permitting the public property to be seized, the authority of the Government to be set at defiance, and the flag of the Union—the emblem of unnumbered victories, and of the dominion of law and social order—to be trampled underfoot, while scarcely a voice was raised to denounce the treason. The sentiment itself was in every patriotic heart. That truth is sufficiently attested by the general response it received. I merely gave it utterance, and thus appealed to the country from the submis-

sion to insult and wrong which was degrading and destroying us.

"'For this flag, so exquisite in workmanship, and conveying a compliment so graceful—so worthy to be prized and cherished—and for this autograph book, bearing on its pages so many illustrious names—coming as they do from a lady who does everything gracefully and well—I never can be sufficiently thankful. I beg you, sir, to assure her that they will be preserved by me and my family as a possession of inestimable value; as significant memorials of the greatest crisis in our history, and as a grateful memento of those with whom I have had the happiness of being associated in this noble enterprise for the relief of the gallant soldiers who have become disabled in their country's cause.'

"The utmost enthusiasm was exhibited during the presentation, and at the close of his speech General Dix was heartily congratulated by his numerous friends and admirers."

The three flags are now in my possession. The Confederate bunting—which, for a little while, replaced the flag of the revenue-cutter—is a huge affair, nearly five times the size of the other. The old flag of the *McClelland* has been carried, on several public occasions, through the streets of New York, with our permission. It is ultimately to be preserved in some public institution, where it may remain, a perpetual witness to the truth of its strange and quite dramatic history.

In addition to other embarrassments encountered by the United States Government in its supreme effort to preserve its existence, it had to contend against those which grew out of the sympathy of Englishmen with the cause of the Confederate States. On the part of very many prominent men, and of certain influential classes of society, that sympathy was strong and freely expressed; from time to time it even endangered our peaceful relations with the British Government. In fact, it may be said that more than once it appeared all but certain that Great Britain would openly take the side of

the revolted States, and aid them in the attempt to break up the Union. That this sympathy with the enemies of the United States Government was the occasion of surprise and profound regret need hardly be said. "The most extraordinary feature in the domestic contest in which we are engaged," said General Dix, on one occasion, "is the unfriendly conduct of Great Britain. For the last twenty-five years our sympathies have been on her side in all her foreign and domestic dissensions and conflicts. When the Canadian rebellion broke out, the President, Mr. Van Buren, not only issued a proclamation prohibiting all citizens of the United States from taking part in the insurrection against the authority of that Government, but he sent a military force, under General Scott, to the frontier, to see that the prohibition was enforced. When the insurrection broke out in India the sympathy of our people with the British Government was nearly universal. Our presses and our public meetings abounded in the most feeling expressions of interest in the triumph of her arms. So in the Crimean war the great mass of our citizens wished her success. What better evidence can be given of the unaffected kindness of feeling which prevailed throughout the Northern and Middle States than the triumphant passage of the Prince of Wales through them? It was only at Richmond that he met with rudeness and contumelious treatment.

"And yet, from the very beginning of the domestic affliction which has fallen upon us, she has, secretly and openly, as far as she could venture, taken the side of the insurrectionists, recognizing them as belligerents, and giving them moral support through nearly every one of her consulates in the United States.

"In doing so she abandons every principle for which she has contended in times past. She gives her countenance and support to every social and political wrong which she has resented. What country has been more fierce in the denunciation of filibusterism than Great Britain? What government has been more violent in its condemnation of the com-

binations to wrest Cuba from Spain and convert Central America into a dependency of the United States? All these were Southern movements. They originated in Mississippi, Louisiana, and Alabama, the very front of the insurrection against the Government of the United States. Nowhere has repudiation been more severely condemned and held up to public opprobrium than in England. It was in Mississippi that it first exhibited itself, and in Mississippi it is still sanctioned by the State Government. What nation has been more steadily opposed to slavery than Great Britain, or has more frequently charged it upon us as a stain upon our national character, or called on us with more impatient earnestness to blot it out? And yet the insurrection comes from the Slave States; it was got up for the protection and extension of slavery, and because the Northern States would not become parties to the dishonor for which we were so loudly denounced by Great Britain and the other nations of the earth.

"Great Britain thus becomes the advocate of filibusterism, repudiation, slavery, and rebellion. What motive can be found but an unprincipled desire to break up the Union, and a willingness, for the purpose of accomplishing that object, to give her countenance to the very thing in our history which has given her and the other nations of Europe the greatest offence?"

The United States are bounded on the north by British territory: Canada afforded a convenient place of refuge to many persons who sought to escape from our jurisdiction. So long as they continued to dwell there quietly, or peacefully to depart thence in quest of homes elsewhere, no just objection could have been made by our Government. But, unfortunately, there were, among those refugees, individuals who meditated violence against us, and used the place of their retreat for fresh conspiracies and occasional forays across the border and within the American lines. Such proceedings—being, of course, in direct and flagrant violation of the law of nations—must, if not repressed, have ended in driving the

two countries into war. On this account they became of very grave importance, and called for the severe measures which were taken to punish the culprits.

The following narrative is from my father's private memoranda:

"On the —— of December, 1864, while in command of the Department of the East, I was dining at the house of Mr. Cyrus W. Field, with a party of ladies and gentlemen. Lord Lyons, the British Minister, sat on Mrs. Field's right hand, and my seat was next to his. When the dinner had been a short time in progress a telegraphic despatch was brought to me at the table, informing me that a party of Secessionists from Canada had taken possession of the village of St. Alban's, in Vermont, and were plundering it. Informing Mr. and Mrs. Field that I had received a communication which demanded my personal attention, I left the table, promising to return as soon as possible. I went immediately to my head-quarters and telegraphed to the commanding officer at Burlington, the nearest military station, ordering him to send the forces at his disposal to St. Alban's with the utmost despatch, and, if the marauders were still there, to capture them if possible. I instructed him also that if he came in sight of them, and they crossed the Canada line while he was in pursuit, to follow them.

"After giving these orders I returned to the dinner-table, and, having resumed my seat, told Lord Lyons that I had been called away by a very unpleasant summons, and informed him what I had heard from St. Alban's, and what orders I had given. When I added that I had ordered the marauders to be followed into Canada if our troops found it necessary he said, 'The order you have given is one of a very delicate nature, and may give us trouble.' I replied that it was not so delicate an order as one that had been given and executed in 1837, under which the steamboat *Caroline* had been destroyed by a British force on our side of the Niagara River; and that, if our troops came in sight of the marauding party, and were

in hot pursuit, we had a perfect right, according to the acknowledged rules of international law, to follow and capture them. The question, as a practical one, did not arise. The plunderers had gone off with their booty long before our troops reached St. Alban's, and, by a rapid movement, had taken refuge within the Canada lines."

To prevent the recurrence of such an outrage General Dix proceeded to issue an Order, as follows:

"Head-quarters, Department of the East, New York City, December 14, 1864.

"*General Orders, No.* 97:

"Information having been received at these head-quarters that the rebel raiders who were guilty of murder and robbery at St. Alban's have been discharged from arrest at Montreal, and that other marauding enterprises of a like character are in preparation in Canada, the commanding General deems it due to the people of the frontier towns to adopt the most prompt and efficient measures for the security of their lives and property. All military commanders on the frontiers are therefore instructed, in case farther acts of depredation and murder are attempted, whether by marauders or persons acting under pretended commissions from the rebel authorities at Richmond, to shoot down the perpetrators, if possible, while in the commission of their crimes; or if it be necessary with a view to their capture to cross the boundary between the United States and Canada, said commanders are hereby directed to pursue them wherever they may take refuge; and, in the event of their capture, they are under no circumstances to be surrendered, but are to be sent to these head-quarters for trial and punishment by martial law.

"The Major-general commanding the Department will not hesitate to exercise to the fullest extent the authority he possesses under the law of nations in regard to persons organizing hostile expeditions within neutral territory, and fleeing to it for an asylum after committing acts of depredation within our own, such an exercise of authority having become indispensable to protect our cities and towns from incendiarism and our people from robbery and murder.

"It is earnestly hoped that the inhabitants of our frontier districts will abstain from all acts of retaliation on account of the outrages committed by rebel marauders, and that the proper measures of redress will be left to the military authorities. JOHN A. DIX, Major-general."

The publication of this Order caused no little excitement.

It was not approved by the Government, as the following communication from the War Department shows:

"War Department, Washington City, December 15, 1864.

"GENERAL,—Your General Order No. 97, telegraphed to this Department, has been submitted to the President, who directs me to inform you that he approves prompt and vigilant action, within proper limits, to protect your Department and its inhabitants against hostile aggression; and that, in view of the recent action by a local British tribunal in turning loose the marauders who were guilty of murder and robbery at St. Alban's, every effort should be made to secure the citizens of the United States on the frontier, in their persons and property, against future outrages. But it remains to be seen whether the Executive authorities in Canada will sanction the action of their judicial officer; and the President does not approve that part of your Order which instructs 'all military commanders on the frontier' in certain cases therein specified to cross the boundary between the United States and Canada, and directs pursuit into neutral territory. The act of invading neutral territory by military commanders is, in the opinion of the President, too grave and serious to be left to the discretion or will of subordinate commanders, where the facility of communication with superior authority is so speedy, as it always may be with the chief authority in your Department, and even with the President at Washington. The President, therefore, does not think the portion of your Order referred to required by any public necessity, or compatible with proper military subordination or the public peace and security. Subordinate military authorities, when left to their own will or discretion, are too prone to act upon views of military necessity where none really exists, to be intrusted with the power of crossing neutral territory without specific authority. If circumstances shall require military commanders to cross into Canada, or to pursue marauders, thieves, or murderers of any description into neutral territory, proper authority can be applied for, without any delay prejudicial to the public welfare.

"Your obedient servant,

"EDWIN M. STANTON, Secretary of War.

"Major-general JOHN A. DIX,

"Commanding the Department of the East, New York."

The letter in which General Dix acknowledged this communication is important, as constituting, if that were necessary, a justification of his action, and giving a personal explanation of his motives:

"Head-quarters, Department of the East, New York City,
December 17, 1864.

"*Hon. E. M. Stanton, Secretary of War:*

"SIR,—I have just received your letter of the 15th instant, advising me that the President does not approve that part of my General Order No. 97 'which instructs all military commanders on the frontier, in certain cases therein specified, to cross the boundary between the United States and Canada, and directs pursuit into neutral territory.' I shall immediately revoke the portion of the Order thus disapproved.

"I beg leave most respectfully to represent that the revocation of this direction to military commanders on the frontier removes all hope of capturing marauders who cross the boundary-line for the purpose of committing depredations on our side. When St. Alban's was attacked, the banks robbed, and several of the citizens shot—one of them mortally—a telegraphic despatch was immediately sent to me, and was promptly answered by me; and yet, so rapid were the movements of the marauders, that before my Order reached the pursuers the guilty parties had been arrested and delivered up, with the stolen property, amounting to several hundred thousand dollars, to the Canadian authorities. When it is considered that St. Alban's is several miles within the boundary-line, it will be perceived that the pursuit of marauders will be wholly unavailing from points directly on the frontier, if authority to pursue is to be waited for.

"When I issued Order No. 97 I had satisfactory information from Toronto that a predatory expedition had been organized against Ogdensburg, separated from Canada by the River St. Lawrence, less than a mile in width. If the local commander, in case of an attack on the place, is required to telegraph for orders to me, it is quite manifest that the marauders will be beyond his reach before he will receive my answer.

"There are strong manifestations of a purpose on the part of our citizens on the frontier to take the pursuit and capture of marauders into their own hands; and a desire to prevent these unauthorized acts of individuals was one of my motives in giving the authority in question to the local commanders.

"I do not state these considerations with the expectation of inducing the President to review his decision, which has, no doubt, been well considered, but that he may understand my reasons for giving a direction which has incurred his disapproval.

"I have the honor to be, very respectfully, your obedient servant,

"JOHN A. DIX, Major-general."

Opinions differed widely as to General Dix's Order and its revocation by the President. My impression is that it was strictly in accordance with the principles of international law; that the action contemplated was justified by an ample array of precedents, of which England herself had furnished more than any other nation. If a nation has not the power or the will to prevent its territory from becoming a refuge for the enemies of a neutral neighbor, and a basis of hostile operations against that neighbor, the latter has a clear right to invade that territory in pursuit of its enemies, and for the safety and protection of its own citizens against their violent assaults. But the question was very fairly raised whether such an order would not be regarded as a menace, unless infringement of our rights had been so frequent as to attest the feebleness or ill-will of the Canadian authorities. The President's motive in revoking it was, probably, based on views of policy and expediency, and on the fear of raising an issue with the British Government at a time when the Southern Confederacy ardently desired to secure its open aid. The heart of the American people responded to the vigorous command of General Dix, but prudence dictated its withdrawal, and prudence carried the day.*

The St. Alban's affair was neither the first instance of danger arising from the shelter of public enemies in adjacent territory nor the last; troubles of the same kind kept brewing continuously, until the cessation of hostilities and the final overthrow of the Confederate cause. Important communications addressed to the State Department, and referred to the General commanding the Department of the East, proved the existence of plots in Toronto, Montreal, and elsewhere. There were preparations for an attack on the city of Detroit with a very considerable force, and for a raid through the State of Maine, beginning on the St. John's River, ninety miles from River du Loup, in which movement it was in-

* *See* Appendix, No. IX.

tended to ravage and destroy all settlements on the route. The knowledge of such conspiracies for plunder and desolation kept our military authorities on the alert, and insured the speedy punishment of individuals who, from time to time, were captured while engaged in the work of spies and guerillas on our territory, and in the perpetration of acts of violence appropriate to that character. With such persons the commanding General dealt according to his convictions of the magnitude of their crimes and the exigencies of the occasion.

The re-election of President Lincoln, in the autumn of the year 1864, was one of those events which decide the destiny of nations. The nomination had the support of General Dix, and of others who, though Democrats like him, could not follow the course taken by the leaders of that party. The issue presented was clear. The Chicago platform assumed that the war must ultimately prove a failure, that the establishment of the Southern Confederacy could not be prevented, and that the duty of the hour was to make peace on conditions acceptable to the people of the insurgent States. To all these propositions those members of the Democratic party who were known as "War Democrats" were opposed. They believed that the collapse of the Confederacy was not only inevitable, but near at hand; that the United States Government, instead of relaxing its efforts, should redouble them; and that no lasting peace ought to be or could be made until the insurgent forces were disbanded, and farther armed opposition had become impossible. They therefore supported the candidacy of Mr. Lincoln, whose defeat, under the circumstances in which the country then found itself, would have been tantamount to the overthrow of the Union and the final success of the Confederacy.

It should not be supposed, however, that the re-election of President Lincoln constituted a triumph for radicalism. It insured the prosecution of hostilities to a successful termination, and the preservation of the Union. It also secured to

the South advantages greater than a radical faction would have conferred on them. At the time of his assassination the Southern people had no warmer friend than the President, whose inclination and purpose were to do them every good office in his power, to promote by his future policy the reunion of the two sections of the country in a spirit of fraternal concord, and to labor for the prosperity of the entire nation. Vindictiveness had no place in that great soul; and men who, like my father, gave him their cordial support, did so in the belief that his continuance in office during the years of reconstruction about to follow would prove the guarantee of harmony and secure equal rights to all who bore the name of American. It was not only madness, but gross ignorance of the true relations of things, that inspired the atrocious act of certain fanatics, by which the man on whose life such interests depended was suddenly struck down into darkness and death.

Events followed each other, at that critical time, with a rapidity which kept the whole country in a state of ferment. The long struggle was ending, yet not calmly, but amid convulsions. On the morning of Passion Sunday, April 2, 1865, the papers were filled with despatches from the War Department in relation to the military operations at City Point. Grant, attacking along the whole line, was sweeping everything before him. On Palm Sunday, about eleven o'clock at night, we received the news that General Lee, with his entire army, or what was left of it, had surrendered that afternoon. Four or five days followed of such rejoicing as had not been known for many a weary year, till on Easter Even the city and the country were stunned by the intelligence of the assassination and death of the President. Then came mourning, lamentation, and woe; solemn services of penitence in the churches, and at home fasting and tears. The body was taken from the capital to its long home, passing from city to city, met at its entrance into each Military Department by the commanding officer of the same, and escorted by him, under

guard, to the limit of his jurisdiction; the Executives of the several States giving directions meanwhile for such ceremonies and public honors as were deemed expedient. It was an awful progress; viewed by all spectators with heaviness of heart and an undefined sense of apprehension for the future.

Some show of opposition to the Government forces was still kept up till toward the end of May. At last, a despatch from General Canby, dated at New Orleans, on the 26th of that month, announced that arrangements had been concluded for the surrender of the Confederate forces in the Trans-Mississippi Department, all the men and material of the insurgent army and navy being comprised in the act of surrender. With this the strife ended. And now politicians took up with avidity the work which was turned over to them with the sheathing of the sword and the disbanding of the Armies of the Union.

Later on in that year General Dix (still in command of the Department of the East) was sent to Canada. He left New York June 17, taking with him, besides an aide-de-camp and orderly, his youngest daughter. His errand had reference to threatening complications between our Government and the Canadian authorities with regard to the right of asylum in behalf of persons formerly in rebellion. Among the incidents of his journey one of the most agreeable was that of a visit to his old Alma Mater, the "Petit Séminaire," as it was formerly called, now the College, at Montreal. He was received by the Reverend Fathers, the students, and many citizens of the town, with all the honors which they could pay, and cordially welcomed to the place which had sheltered him when a school-boy. Of all whom he had known when a pupil at the college not one survived, excepting "Jean," a very old man, a servant, whose name and office the General recalled. He was greatly pleased, and not a little touched, by the warm greeting of those kind people, and by the address prepared for the occasion, and delivered by one of the students, as follows:

"GENERAL DIX,—At this moment, when the world is resounding with the joyful news of peace in the United States, which many of us here are proud to call our home, and when the names of those great and glorious men who have taken prominent parts in the struggle are in the mouths of all, how great must be our joy to welcome among us to your Alma Mater, as students, a graduate of our College, and, as Americans, a man to whom we owe in no small degree the blessings of peace that now shed a benign influence over our country!

"Proud are we, General Dix, to have this opportunity offered us of honoring in your person those illustrious ones whose career we have so anxiously followed during the past four years.

"Removed as we have been from those stirring scenes, little more than the deepest sympathy was left us to contribute; but that we gave with overflowing hearts. Later perhaps will arrive our time for action, and may we too not hope, when from these same halls went forth one whose virtue and integrity has done them so much honor, and whom the world recognizes as one of the greatest men of a great nation?

"In proportion, then, is our gratitude, General Dix, for the honor you have conferred upon our College by this visit. Deign to accept this humble expression of our sentiments, which we offer in all sincerity."

In reply the General said:

"GENTLEMEN,—I beg you to accept my sincere thanks for your very kind reception, and especially for the compliment you have paid me in associating me with those of our countrymen who have been instrumental in restoring peace to our country.

"It is now more than fifty years since I was a pupil of this institution; and the pleasure of my visit to it, after the lapse of so long a period of time, gratifying as it is, is painfully alloyed by finding that not a single one of the distinguished scholars, from whom I received so much excellent

instruction, remains. M. Roque, the principal, and Messrs. Houdet, Rivière, and Richards—all alike eminent for their learning and piety—are slumbering in their graves. I can never forget how much I owe those exemplary men. To their scholarship, their purity of life, the influence of their example in all things, and their wise and parental counsels, I am indebted for much of my success in life; and although their trust has passed into other hands, it is most gratifying to me, as one of the pupils of the institution, to see it still flourishing, still devoted, under worthy successors, to the preparation of young men for the active business of the world.

"Participating with you in fervent gratitude to Heaven for the restoration of peace to a country to which many of you belong, and renewing the expression of my thanks for this demonstration of kind feeling, I tender to you all my sincere wishes for the continued prosperity of this admirable institution, and for the happiness of all who are connected with it."

About a month afterward General Dix was relieved of his military command. It was well known to us at the time that he might have continued in the army had it been his wish to do so; but nothing was farther from his thoughts and wishes. What he was able to accomplish as a soldier he had done, and he now desired to resume and enjoy a life of quiet and peace. The Order in which he took leave of the officers and men under his command appropriately closes the record of his army life:

"Head-quarters, Department of the East, New York City,
July 15, 1865.

"*General Orders, No.* 55.

"Pursuant to General Orders, No. 118, current series, War Department, Major-general Dix hereby transfers to Major-general Joseph Hooker, of the Army, the command of the Department of the East.

"In taking leave of the officers and troops under his command Major-general Dix returns to them his sincere thanks for their faithful

and efficient services and the promptness with which they have discharged their respective duties. It is needless to say to them that this association, which has never been disturbed by any want of harmony, or by any unwilling acquiescence in his authority, is not broken without unfeigned regret.

"He also desires to acknowledge the ready response and the patriotic aid he has always received from the civil, military, and municipal authorities of the States composing his Department whenever the emergencies of the war have rendered it necessary to call for assistance. This generous co-operation has greatly lightened his own labors and responsibilities; and he refers to it not only as a matter to be gratefully remembered by him, but as one of the most gratifying evidences of the united feeling by which the Government of the country, in a desperate struggle for its existence, has been zealously and triumphantly sustained.

"JOHN A. DIX, Major-general.

"*Official.*—CHAS. O. JOLINE,
"Brevet Lieutenant-colonel and Aide-de-camp."

X.

AT HOME AND ABROAD.

UNION PACIFIC RAILROAD.—THE MISSION TO FRANCE.—THE ERIE RAILROAD.

A.D. 1865-1872.

President Johnson's Administration.—The Union Pacific Railroad.—Eulogy on Lieutenant-general Scott.—Address at the Reception of the Seventh Regiment.—Naval Officer of the Port of New York.—Minister to France.—The Empress Eugénie.—State Dinners at the Tuileries.—Presentations at Court.—*Exposition Universelle.*—The Visit of the Sovereigns of Europe.—Death of the Emperor Maximilian.—Banquet at Paris.—Return Home.—The Union Pacific *Crédit Mobilier.*—Unification of Italy: great Meeting at the Academy of Music.—Honors from the King of Italy.—Visit of the Grand-duke Alexis.—Honors from the Emperor of Russia.—President of the Erie Railroad Company.—Successful *Coup-de-main.*—Thanks of Stockholders.

X.

ANDREW JOHNSON, Vice-President of the United States, succeeded to the Chief Magistracy on the death of the murdered President. The omens of evil, inseparable from the dreadful cause for his accession, were but too truly verified. Not Lincoln, had he been spared, would have seen tranquil days, or been enabled to cope with and subdue at once the irresistible ground-swell following the four years' tempest which had preceded it.

Scarcely had the new President been installed in his unenviable place when it became evident that the work of reconstruction must lead to fresh and bitter strife. Misunderstandings and jealousies, growing out of the formidable difficulties besetting the subject, filled the country with confusion, trouble, and bad blood; estranging men from each other, and making violent antagonists of those who but recently were friends. The contest between the Executive and the National Legislature will long be remembered and deplored. True, the Union had been saved; but many years were to pass before brethren could once more dwell together in unity.

On retiring from the military service General Dix turned his attention, first, to his personal affairs, which had fallen into some confusion. He also found occupation in his duties as President of the Union Pacific Railroad Company. But the larger questions of the day demanded an attention which he found time to give to them. He was chairman of a meeting held in New York, February 21, 1866, and largely attended by citizens who believed that the time had come when men of conservative views, forgetting past divisions, should come together for consultation. Having sustained the public au-

thorities during the war; approving the policy of President Johnson, as announced in his first Message to Congress and a subsequent Message to the Senate returning the Freedmen's Bureau bill, with his objections; and believing that the re-establishment of the former relations of all the States to the Union was indispensable to the harmony and prosperity of the country, the perpetuity of our republican institutions, and the prudent and economical administration of the Government within constitutional limits; the persons interested in the movement sought to confer with the President as to the best means of sustaining him in the measures which he proposed to take, and aiding him in his patriotic efforts to restore harmony to the Union, while guarding against an evident tendency to enlarge the powers of the Federal Government to an extent far beyond what they considered safe. The following letter was addressed to the Chief Magistrate on that occasion:

"New York, February 21, 1866.

"*His Excellency Andrew Johnson:*

"DEAR SIR,—I enclose a copy of a resolution passed at a meeting this morning, at which some of the most eminent of our citizens took part.

"In view of the great issues before the country, involving, as they conceive, its harmony and prosperity for years to come, and the proper action of the Government within its constitutional limits, they are anxious to adopt such measures as will be most efficient in giving success to the policy you have proclaimed; and they will proceed to Washington at an early day and ask an interview with you. The gentlemen composing the Committee are—

"John T. Hoffman, Mayor; William B. Astor, William M. Evarts, Edwards Pierrepont, Moses Taylor; John Kelly, Sheriff; Charles G. Cornell, State Senator. I am, very respectfully and truly, yours,

"JOHN A. DIX."

I think it sufficient to have given this brief indication of my father's intelligent interest in the questions which agitated the country during Mr. Johnson's administration. Fortunately for himself, he spent two years and a half of the four at a distance from the arena of embittered and disgusting con-

test. The story of those battles forms no part of this narrative. It is enough to have observed that he was a supporter of the Administration. His hope was strong that the country would witness a revival of the principles of that old Democratic creed which he still professed, and a return to the ideas and the policy of the age of Jefferson, Madison, and Jackson.*

I have already referred to his duties as President of the Union Pacific Railroad. His connection with that Company began in 1863, while efforts were making to obtain the requisite subscription of two millions of dollars to the capital stock. He became, at that time, a subscriber to the amount of $20,000; and on the organization of the Company, October 27, 1863, was elected its President. Up to the date of his retirement from the army he had not been able to give much attention to the affairs of the Company; which fact he regretted, as he considered the work to be one of the greatest enterprises of the age. Under the early management the Company, composed of men of experience and integrity, enjoyed the confidence of the community, and gave no cause to complain of their conduct of its affairs. The scandals which subsequently arose out of the notorious "*Crédit Mobilier*" scheme were the result of a departure from the plan marked out by those who first directed the affairs of the corporation. In this General Dix had no share; he was absent from the country at the time when the new policy was adopt-

* The reader is referred, for farther information as to the position of General Dix on the great questions of this period, to an address to the Democracy of the Union opposed to the Chicago platform, delivered in New York, November 1, 1864; and to an address at the National Union Convention at Philadelphia, August 14, 1866. In the former he reviews the history of the Democratic party from the time of its origin to that date; intimates his growing conviction that it had departed widely, if not hopelessly, from its old standards; suggests the measures proper for a reform, and urges its return to the positions which it had abandoned. In the latter he deals with the question of reconstruction, and takes high ground on the right of all the States to an immediate recognition and representation in the National Legislature.

ed; it was strongly disapproved by him; and he derived no advantage whatever from it. At a subsequent date, when in nomination for Governor of New York, political enemies sought to find occasion against him, on the score of alleged responsibility for the operations of the *Crédit Mobilier*. The charges were false; they were made by unscrupulous politicians; they were but one of innumerable instances of the system of reckless defamation which has become an indispensable weapon in American political controversy. Intending to return to this subject presently, I add, meanwhile, that these calumnious and false allegations were all disproved, and that the motives which actuated the men who invented and circulated them were perfectly well understood.

At this point in my narrative it is in order to mention a brief eulogium, pronounced before the New York Historical Society, on the character and services of Lieutenant-general Scott, and an address delivered at the Academy of Music, at a reception given by the Seventh Regiment of the New York State National Guard. The relations between my father and General Scott were intimate and cordial; their acquaintance and friendship dated from a very remote period. In the month of November, 1813, on the banks of the St. Lawrence, a little funeral train passed through the American lines to a barge on the river. Behind the coffin, containing the body of an officer, walked a youth fifteen years of age, in the uniform of an ensign of infantry; and among the sympathizing spectators of the scene was Winfield Scott, then Colonel of the Second Artillery, who said to my father in after years that he had never forgotten the occasion, nor the impression produced on him by the evident struggle between the anguish of the boy in his loneliness and sorrow and his successful effort to maintain the dignity of the officer and the calmness of the soldier. The interest awakened at that time grew, with the passing years, into warm regard. I have already mentioned the wish of General Scott that my father should have the command of the forces near Washington on the

breaking out of the war. In this connection I recall another incident which illustrates the sympathy between the two men: it was related by the Hon. E. B. Washburne, in his speech at the banquet in Paris, June 1, 1869, when General Dix retired from the office of Minister at the Imperial Court. Mr. Washburne, on the occasion to which I now refer, stated that he was with General Scott one evening in the month of January, 1861, in company with Governor Grimes of Iowa, when General Dix came to consult the Lieutenant-general on a point of military law on which he found himself somewhat rusty, having been so long out of military service.* "He then went on to explain," continued Mr. Washburne, "that a Captain Breshwood, in command of one of our revenue-cutters at New Orleans, had turned traitor and was about to put the cutter into the service of the rebels. That being the case, the point with General Dix was, whether he had the right to order the second officer of the cutter to put his superior officer under arrest as a mutineer; and he then took from his pocket a despatch which he had prepared on the subject, and which he then read to the Lieutenant-general. I shall never forget," said Mr. Washburne, "how the eyes of the old chieftain lighted up when the despatch was read, and how warmly he exclaimed, 'Capital! it is just the thing. You are not at fault, General, in your military law. I hope you will send it right off.' General Dix responded that he had only delayed it to have his opinion, and that it would go at once. After the General had left the room General Scott rubbed his hands with absolute delight, and said to Governor Grimes and myself, 'What a glorious thing it is to have a military man associated with you at such a time!'"

I doubt not that my father's mind was filled with memories of those departed days when, on the 19th of June, 1866, he thus addressed the gentlemen of the Historical Society at a

* See Vol. I., p. 372.

meeting held at their rooms, and in the presence of a large assemblage of distinguished guests:

"I have been requested to present to you the resolutions which I hold in my hand, and which are designed to express your sympathy in the general feeling of sorrow caused by the death of our distinguished fellow-countryman, Lieutenant-general Scott. And yet it is but one of those losses which we chiefly feel because it breaks up associations long enjoyed or friendships long cherished—losses to be felt rather than deplored; for why should we mourn over the departure of one who, with faculties unclouded and a vigor of mind and body yielding only to the invincible Power which is to subdue us all, goes to his rest full of years, of honor, and of fame? To you, gentlemen, in whose memories all that concerns him is so well preserved, few words need be spoken by me as a prelude to what I am about to read. We do not stand in the same relation to him as to those whose spheres of action in the past or in the present are far apart from our own. Of them we can never have more than an imperfect knowledge. The art of the painter may give the features, and even their expression, to the canvas, or the chisel of the sculptor may cut their outlines into the solid marble with a fidelity of imitation which may seem almost miraculous; but these counterfeits afford but feeble glimmerings of the living spirit which constitutes the man, and which is never clearly manifested but through personal association, the exchange of friendly offices, and the direct intercommunication of thought.

"Most of us learned to appreciate and respect our distinguished fellow-citizen through these familiar media of knowledge. His individualities are impressed on our minds as strongly as they existed in him. If the current of his thoughts and feelings was sometimes inward (and who among us is free from this tendency to self-concentration?) there was nothing in his nature capable of obscuring for a single instant

the transcendent patriotism which placed the honor and the welfare of his country before all other considerations—nothing to interrupt that outward flow of genial kindliness which poured itself forth in broad and diffusive streams through the wide domain of his social intercourse. If he had lived at one of the great eras of Rome he would have been called *Magnus*, like him who, in the last days of her expiring liberties, bore that honorable appellation; not that he was the foremost man of the Republic, but because there was in and around him a moral grandeur which was felt and acknowledged by all who came into his presence, or who were familiar with the great actions of his life.

"We remember our departed friend, not only through his commanding person, which was far above our common stature, but through his brilliant achievements, which placed him as much above the plane of elevation at which most of his contemporaries stood and moved. For more than fifty years his life was one of nearly constant activity, sometimes as a pacificator, averting the scourge of war by his prudence, his courtly address, and his courteous firmness, and at others carrying his country's banner into the battle-field with a chivalrous courage rarely surpassed; and during his long career of usefulness and honor generation after generation has come into being and gone before him into the unknown world as the harbingers of his fame. Few names will be more conspicuous in our country's annals. In future ages, far remote from our own, when the men and the communities of the present day shall be known through little else than the meagreness of chronological records, he and the comparatively few whose fame is enduring will stand out from the page which preserves their memory, prominent and distinct, like the principal objects in a landscape whose outlines are sharply defined against the distant sky. He will be chronicled as one who, amid the roar of the great American cataract, successfully contended against the best-disciplined forces of Europe, and who, against obstacles far more formidable than

those overcome by Fernando Cortez, led his victorious battalions, after a series of signal successes, into the great city of the Aztecs, and ruled it with the justice and the moderation which are the brightest ornaments of a conqueror.

"In the accidents of his death he was not less happy than in the events of his life. He was overcome by the only adversary that was ever victorious over him, where, above all other spots, he would have wished to surrender up his life—where the water and the land meet in a majestic conformation rarely paralleled and still more rarely surpassed; where Washington was intrenched at one of the most eventful periods of the Revolution; where Grant and Sherman, and Sheridan and Thomas, with most of the other gallant leaders in the great rebellion, were trained to the excellence in arms which saved the nation and made their names illustrious; where the youth of the country, whom she is preparing for the assertion of her rights and the vindication of her honor in future exigencies, may stand over his grave and become stronger and better from the remembrance of his public virtues and the purity of his private life. Here will the ashes of the distinguished patriot and soldier rest until the Great Day. The meridian sun, as it pours down its radiance upon the scenes amid which they repose, will symbolize the lustre of his own noonday of useful and heroic service; and, as it sinks into the evening sky, the encircling hills which lift up their gigantic forms into the clouds above will spread their great shadows, like tokens of the night which has fallen upon him, over his honored resting-place.

"To these majestic landmarks and to him may be applied, with equal fitness, the bold and beautiful figure of the poet:

> 'Stat sublimis apex, ventosque imbresque serenus
> Despicit, et tantum fessis insiditur astris.'"

The address delivered by General Dix at a reception given January 31, 1866, at the Academy of Music, by the Seventh Regiment to its members who had served in the army and

navy of the United States during the war, constitutes a just and memorable tribute of praise and honor to that distinguished body of citizen soldiery, and contains so much matter of historical interest that I shall make no apology for giving it in full. It bears, in part, upon the questions which were agitating the country at the time when it was delivered, and thus properly belongs to this narrative. General Dix, having been introduced by Colonel Emmons Clarke, the popular commanding officer, to the assembled guests, addressed them as follows:

"LADIES AND GENTLEMEN,—It affords me great pleasure to perform the service just announced to you by the Colonel of the Seventh Regiment of the National Guard of the State of New York—to reiterate his welcome to those of the former members of the regiment who have gone forth during the late war, under other organizations, to defend the Government of their country against a gigantic combination to overthrow and destroy it. This reunion of those who in the past have been bound together by the ties of a common association has its familiar analogies in the incidents of domestic life. As when the heads of a household, after the lapse of years, reassemble their scattered children who have gone out into the battle of life, to congratulate them on the successes they have achieved and the reputation they have acquired, and to thank them for sustaining and advancing by meritorious actions the family name and renown, in like manner the Seventh Regiment reunites its former associates, to congratulate them on the distinction they have gained for themselves, and to thank them for the honor which the lustre of their services has reflected upon the corps and the country. Having had most of those who were members of the organization at the commencement of the war, and of those to whom this reception is tendered, under my command, I feel that my duty to-night will be best performed by addressing all as members of a common brotherhood, and by briefly recounting the valuable

aid they have rendered in standing by the country during the ordeal of fire through which it has triumphantly passed. And first, gentlemen, let me congratulate you on your good fortune in living at a period in our history marked by the most extraordinary domestic conflict of this or any other age. I say your good fortune, for whenever a community is menaced by the greatest of all calamities—the destruction of its nationality—it must be the most earnest desire of every good citizen to participate in the danger, to do what he can to avert it, and to contribute by toil and endurance and self-sacrifice to mitigate its effects. You stand in this honorable relation to the country. Those of you who have not been in the field during the entire war have in repeated instances volunteered your services to uphold the national standard, which, by the blessing of Providence, still waves over us, the hallowed emblem of the authority of the Union, with no dimness on its folds excepting that which it has gathered from the smoke of honorable and successful battle.

"At the outbreak of the rebellion, when the Sixth Massachusetts Regiment was attacked at Baltimore, and the deepest concern was felt for the safety of the capital, you were among the first to hurry to the scene of action. A gentleman high in position at Washington gave me, two or three years ago, an account of the condition of things there at the time of your arrival. Open communication with the North had been entirely suspended; railroad travel and the transportation of the mails through the State of Maryland had been broken up by force; and no intelligence could be obtained from the loyal portions of the Union except through secret messengers and couriers, whose journeys were always performed with difficulty, and sometimes not without absolute danger. At this juncture, when all was uncertainty and doubt, when each revolving hour came freighted with some new burden of anxiety or peril, a column of armed men, with bayonets glittering in the sunlight, was seen entering the Pennsylvania Avenue, near the Capitol; and the feeling of relief and security was

unspeakable when the welcome intelligence spread throughout the city, as if by some magnetic influence, that the Seventh New York had come to oppose to the gathering cohorts of treason the ægis of its discipline and its name.

"In the early spring of 1862, when the Army of the Potomac was lying before Richmond, when Washington and Baltimore and the adjacent country were almost denuded of troops, and there were well-grounded apprehensions of a rebel raid from the Valley of the Shenandoah, you volunteered your services a second time. I was in command at Baltimore when you arrived there, with your gallant companions, the Twenty-second, the Thirty-seventh, the Sixty-ninth, the Seventy-first, and, I believe, some other New York regiments, whose numbers I cannot at this moment recollect. You were detained at Baltimore by the Government at my special request; and during a large portion of this term of your service you occupied the post of honor — Federal Hill — that remarkable promontory rising up in the heart of the city, and seeming to be placed there by Nature as a site for a citadel. When you occupied it it was crowned by a fort, as you see it before you [pointing to a painting representing it], built in the summer of 1861, to protect the city from external attack, and, in case of need, to defend it against itself. Happily, the unshaken loyalty of the Baltimoreans, through all trials and temptations, rendered the latter service unnecessary.

"In the summer of 1863, when General Lee invaded the State of Maryland with a powerful army, you volunteered your services a third time, and were assigned by the Government to the defence of the city of Baltimore, on which an attack was considered imminent. During a portion of this third term of service you were again in the occupation of Fort Federal Hill, and during the residue on duty in the interior of Maryland, remaining in the field until after General Lee had retreated beyond the Potomac. You were then suddenly recalled here to aid in quelling the riots, and your re-

appearance had a powerful influence in restoring order and in saving the city from farther devastation.

"In the summer of 1864, when rebel raiders from Canada were plundering our frontier, you tendered your services to me, as commanding officer of this Department; and they would have been accepted, had not some new regiments, which had never been in the field, claimed the privilege of serving the country. Most fortunate and enviable is the community in which the emulation of its citizens is, not to evade military duty, but to be received into public service and to be assigned to posts of danger! Giving you all the praise which is most eminently your due for your promptitude, your patriotic spirit, and your alacrity on all occasions in accepting and courting military service, yet the crowning distinction of your regiment is in the large number of officers which you have furnished for other organizations. I hold in my hand a roll of five hundred and fifty-seven of your members who received commissions in the army, the navy, or the volunteer service. Nine-tenths of the number were serving with the regiment when the war broke out. Three rose to the rank of major-general, nineteen to the rank of brigadier-general, twenty-nine to the rank of colonel, and forty-six to the rank of lieutenant-colonel. Many whose names are on this roll of honor are sleeping in soldiers' graves. Others are moving about, with mutilated limbs and with frames scarred by honorable wounds, the silent but expressive memorials of faithful and heroic service. For years before the war you devoted yourselves with an assiduity and a zeal worthy of all commendation to martial exercises, and I believe I may safely say that there was scarcely a man in your ranks who was not capable of leading other men—of commanding a platoon, a company, a battalion, or a regiment. And the gratifying result is, that under nearly every battle-flag which the State of New York unfurled you had an honored representative. The historian Justin, in his account of the preparations of Alexander the Great for his Asiatic expedition, says that some of the corps he organized

were so well disciplined that one would have considered them not so much soldiers as the chosen leaders of soldiers:

'Non tam milites quam magistros militiæ electos putares.'

"You have fairly earned the same praise, and are justly entitled to the honorable appellation of *militiæ magistri*—the leaders of soldiers. I do not know so striking an illustration of the truth of a maxim which is usually considered of modern origin, but which is as old as the Augustan era, when it was proclaimed by the most graceful of the poets of Imperial Rome, in that pure Latinity for which he was so distinguished—

'In pace, ut sapiens, aptarit idonea bello;'

which may be liberally interpreted, 'In peace, if you are wise, you will prepare for war.' To have furnished the most remarkable proof of the profound wisdom of this ancient maxim is a distinction to be remembered with gratitude by your fellow-citizens, and to be cherished with a manly pride by yourselves.

"It is now nearly ten months since the trial of arms between the North and the South was brought to a termination; and I trust it will not be deemed inappropriate if I present to you, who have borne so conspicuous a part in it, some considerations arising out of this still absorbing subject. I do not intend, in what I say, to strike a single note of discord. I should greatly regret to speak one word which should not be in harmony with the scheme of reconciliation now in progress between the two sections of the Union. The views I desire to state are purely philosophical, applicable to all ages and all nations, and drawn from the sober lessons of experience, which no community can wisely disregard. It was in the month of April last that the war was brought to a close by a sudden collapse of the whole vital power of the insurgent States. No equal period of time in the history of any people has ever been so crowded with extraordinary events. During the very first days of the month were fought those remarkable battles

before Petersburg, equally honorable to the genius and skill of the commander and to the gallantry and steadiness of his troops. The evacuation of Richmond immediately followed. A few days later General Lee surrendered, with the remains of the Army of Virginia—the first and the last hope of the rebellion. And here I desire to say that I consider this result —and such, I believe, will be the judgment of posterity—as the direct consequence of one of the most remarkable movements in history—the great march from the Wilderness to the Chickahominy, the James, and the Appomattox — army opposed to army, one pursuing and the other pursued, a conflict at every step, not one square mile of territory traversed by the combatants which was not crimsoned with heroic blood! The unconquerable perseverance, the unwavering persistence, with which one single purpose was pursued — through the memorable march and the patient investment which followed it—prepared and compelled the surrender of the most numerous and best-disciplined army the insurgents ever brought into the field. I do not, of course, lose sight of the subsidiary movements, which were parts of the grand and comprehensive plan of the General-in-chief. Near the middle of the month (on the 14th) the old flag was hoisted over the battlements of Fort Sumter—the same flag against which the first rebel missile was hurled! And on the evening of the same day was enacted that darkest deed of infamy which has ever disfigured the annals of the United States—the assassination of our noble-hearted and lamented President. I have no comment to make on this act of horror. No language of reprobation or abhorrence can illustrate or intensify its atrocity. It is one of those great crimes which, in the history of our race, occur only after intervals of centuries—crimes which the recording angel sheds no tear to blot out; crimes which are written down in the great chronicle of events in characters of blood, as a perpetual memento of the madness and the malignity of which human passion is capable. Near the close of the month General Johnston surrendered, with his army, comprehending in the

capitulation the whole rebel force north of the Chattahoochie —embracing, in fact, nearly the whole organized military power of the rebellion—and thus terminated the war.

"These events are becoming rapidly incorporated into the solid substance of our history, and mankind will pass a calm and impartial judgment upon them. It is very difficult for any of us, while they are so fresh in our remembrance, to speak of them with becoming moderation and disinterestedness. But, although we may not be the most impartial judges of a conflict which has brought with it so much skill in leadership, so much heroic courage and still more heroic endurance in all ranks of our combatants, both by land and sea; and so much patriotic effort and cheerful self-sacrifice on the part of the great body of our people; yet it has taught us some lessons which it may not be unbecoming in us to refer to, and which it may be useful for all the generations of men now and hereafter to reflect upon. They are not new lessons; on the contrary, they have been taught over and over again to those who have gone before us, and have always been forgotten when the events with which they were connected have faded away in the distance, and the attention of men has become engrossed by new and more urgent interests.

"First of these is the great truth that the course of military successes is always from north to south—from frosts and snow to flowers and sunshine. Our very instincts teach us that it must be so, and all history confirms it. It is not because the Southern nature is less spirited, or less capable of high and heroic achievement, but because the Northern muscle, elaborated under a colder sky and through more invigorating influences of climate, acquires more compactness, tenacity, and strength, carrying with it (for the mental and physical conditions always assimilate) a greater moral power of endurance. Southern races are, for the most part, precipitate, impassioned, fiery, vehement, sometimes breaking down all opposition by force of their restless impetuosity. Northern races, on the other hand, are calm, deliberate, persistent, determined, and

as immovable as a rock, against which wind and storm are idly expending their fury. The remark may seem fanciful, and yet I believe it to be historically true, that great military successes, considered in reference to parallels of latitude, are subject to a law analogous to that which governs currents of running water. They do not rise above the level of their source, or, if carried to a greater height by some special force, they subside to their former level as soon as that force is withdrawn. Accordingly, we find that the great tides of conquest in all ages have flowed from north to south or east and west on nearly the same parallels of latitude. It required the extraordinary genius of Julius Cæsar—the most finished military commander, perhaps, that ever lived—to carry the victorious arms of Rome, when the great republic was in the fulness of its prosperity and power, a few degrees of latitude north of the metropolitan centre; and yet we all remember that it was more than a hundred years after his first invasion of the little island of Great Britain before it was reduced to the condition of a Roman province. Even then only the lower part was subdued, and the Emperor Adrian was compelled to build a wall across it to protect the Roman soldiery from the incursions of the Caledonians, the predecessors of the Scotchmen of our day. Now, I venture to say that, if that island had been fifteen or twenty degrees farther south, it would not have resisted the Roman power successfully through a single campaign. The operations of Hannibal in Italy may seem to conflict with my theory, but not if they are properly considered. It is true he marched up through Spain, crossed the Alps, descended into Italy, and obtained several signal victories over the Romans; but his operations did not contain one of the elements of permanent conquest. They were nothing but a protracted raid, and after a few years he was compelled to return to Carthage to defend that city against the very people whom he was invading. There was a remarkable instance eight or nine centuries later of the truth of the proposition I have stated. Some six hundred

years after the Christian era—when mankind, as if in defiance of the celestial messages of the great Teacher, had sunk into a moral torpor as dangerous to all the interests of civilization as the living paganism which had preceded it—God raised up an avenger in Mohammed, to destroy all that deserved to perish, and to rouse to action all that was worthy of being preserved. The creed of the Prophet was full of error, but it contained one vital truth, and under its influence his followers were roused to a wild enthusiasm which nothing could resist. It was in the name of the one and the ever-living God that their cimeters flashed to the light. The great tide of Islamism poured down through Western Asia into Africa, across Egypt and the Desert of Barca, whelming the ancient Pentapolis, over the narrow strait which separates Africa from Europe, sweeping across the sunny plains of Andalusia and over the vine-clad hills of Grenada, until the great wave burst at the base of the mountains of Asturias. It did not rise in the West above the level of its source in the East. And thus this great human deluge, impelled by the spirit of conquest and religious frenzy, bearing on its crest the trophies of Eastern science and art, was poured out over Western Europe, and planted there some of the richest germs of civilization, to be purified and perfected in after ages by the clearer light of Christianity.

"Wherever armies have gone to the North for the purpose of conquest they have been defeated. The Greeks and Romans were constantly repulsed by the rude nations north of them. The legions of Varus were cut to pieces in the wilds of Germania by Arminius and his followers. Nay, the great modern conqueror of Europe, when he undertook—if I may so express myself—a campaign against the Arctic Circle, with one of the most numerous and best disciplined armies the world ever saw embodied, was discomfited—not so much, it is true, by the arms as by the strategy of his enemies, and by the rigors of the climate. His immense host, like that of Xerxes, was broken to pieces, and he was compelled to re-

treat, leaving thousands of his followers sleeping in bloodless death upon the frozen plains of Muscovy. On the other hand, when great conquering armies have been sent to the South they have nearly always been victorious. The Romans overran everything south of them down to the shores of the great African desert—one of those seas of sand which are far more impracticable than any waste of waters. The Romans, in their turn, were overrun by the barbarous nations north of them. The Goths, the Normans, the multinomial races which were swarming century after century out of the great Northern hive, overwhelmed all Europe down to the very shores of the Mediterranean; and even Southern Italy saw these rude warriors, with frames compacted almost to the hardness of iron by hyperborean frosts, unbuckling their armor and lying down in the summer radiance on the heights of Sorrento, by the blue waters of Baiæ, and even in the classic grotto of Pausilippo. In like manner armed multitudes from Central and Western Europe poured down into Syria under the unconquerable banner of the Cross, and wrested the Holy Sepulchre from the hands of its infidel possessors. The flaming cimeter of the fiery Saladin, as described in Walter Scott's 'Crusaders,' falling in fast but ineffectual blows on the massive battle-axe of the cool Plantagenet, is but a type of what the world has seen, and will continue to the end of time to see, in the conflicts of Southern with Northern races.

"I wish some of our Canadian friends were here to take comfort from these suggestions. When the rebel raiders, whom they were harboring, crossed our frontier to plunder our villages, shoot down our unarmed people, and give this city to the flames, through a scheme of incendiarism which for atrocity has no parallel in the annals of barbarism; and when a certain Department commander, whose name I will not mention, with a frontier of nearly a thousand miles to guard, with only six military posts along its whole extent, and without two hundred men in any one of them, gave orders to

the commanders of these slender garrisons, in case the depredations were repeated, to pursue and capture the marauders, even if it were necessary to cross the astronomical line which constitutes the boundary between the two countries — the stout hearts of our Northern neighbors need not have been disturbed by any imaginary apprehension of invasion. No, gentlemen; whenever the tide of emigration (the only instrument of conquest the United States employ, when unprovoked) shall rise again in the East, it will move on across our own territory to Nebraska, Colorado, Idaho, Nevada, Montana, California, Oregon, and the calmer shores of the Pacific. Or, if it should deviate from our own parallels of latitude, it will not be in the direction of Hudson's Bay and the coast of Labrador, where the bosom of our mother earth is hidden from the sight of her children during more than half their natural lives, but down into the sunny districts of the palmetto, where the reproductive powers of nature are at work throughout the whole circle of the year, and where the magnolia and the orange-tree load the atmosphere with perpetual fragrance. I know that the mental and muscular energy of the North will gradually give way, in obedience to the universal law, to the amenities and the seductions of the climate, but not until they shall have done their work by waking up those soporific districts to the new life and the intense activities of this earnest and enterprising age.

"Another lesson which this war has taught is, that human slavery, in some way or other, and at some stage or other of its existence, is always calamitous to those who maintain it. The justice of God is sure to manifest itself, in some form of retribution, against the injustice of man, even though it be through the slow operation of what we call natural causes. Wherever the subjugated class does all the work and the governing class does none, wherever the latter seeks to evade the universal sentence of earning our bread in the sweat of our faces, the former must acquire a physical superiority, which, in the end, is sure to work out its own deliverance.

We have not waited for this tardy process of centuries. Slavery with us has perished through the insensate attempt of the masters to extend and perpetuate it by destroying their own Government. It has gone down amid the clash of arms and the shock of battle; and the amendment to the Constitution just adopted has confirmed and executed what the behests of war had decreed. This great social revolution has been accompanied by an equally great marvel. Slavery has been abolished in Delaware and Kentucky by the votes of Georgia, Florida, and South Carolina; and those who were most earnest in defending and seeking to extend it have 'conquered their prejudices,' and are marching on, with the great army of emancipators throughout the world, to the majestic minstrelsy of universal freedom.

"These are two of the great lessons of this war. As I have already said, they are not new, but they have been brought out of the darkness by the throes of contending populations—thrown off, if I may so express myself, like flashes of light from the great mirror of history. But these old lessons are not the only ones this war has taught. It has illustrated a new truth of far greater value than any political moral which can be drawn from the annals of the past. It has demonstrated beyond contradiction that the strongest of all governments in times of great peril is that of a republic. It cannot well be otherwise, notwithstanding all we have heard from monarchists of the weakness of republican institutions. The great mass of the people are a part of the government. The governing administration is always the work of their own hands. Through the principle of popular representation their wishes and opinions are impressed on every movement it makes, and on every measure it adopts. They feel that the destruction of the Government would involve the loss of all that is most dear to them—their domestic security and peace, their property, and, above all, the political status they hold in the great scheme of self-government. The ability of such a government to defend itself against foreign aggression is only

to be measured by the aggregate physical force of the whole community. In times of internal disorder, throwing the insurgent district out of the account, its power is the same. Under arbitrary systems the rights of the government are distinct from and antagonistic to those of the people. Whenever the government is in danger those who live under it, and who consider themselves debarred of their just rights, are very apt to think that if it goes down their own condition will be no worse, and may perchance be ameliorated. The ability of such a government to defend itself is limited, apart from the aristocratic classes, to so much of the physical power of the community as it can bring into its service by force. Out of these radical distinctions has sprung up the feeling of hostility to our political system which has existed from its foundation among the friends of monarchical institutions. They have desired to see the experiment of self-government on this continent fail, in order to strengthen arbitrary government in other quarters of the globe. And yet the nations of Europe, with two exceptions, have maintained a strict neutrality in this contest. They would have been most unwise, as well as unjust, if they had not. For centuries the secondary governments of Europe have been struggling, sometimes by separate action, and sometimes in combinations, to enlarge the circle of neutral rights, and to restrict the rights of belligerents. In their course toward us, therefore, they have acted in accordance with a long-established policy in which they have a vital interest. But I do not place their conduct on this motive. I believe they have acted in obedience to a conscientious sense of duty. France and Great Britain, on the other hand, our rivals on the ocean, had, or thought they had, an interest in the destruction of this Union outweighing all prudential considerations. There is no doubt that Louis Napoleon did all in his power to induce Great Britain to unite with him in recognizing the independence of the insurgent States. He availed himself of our internal disturbances to overthrow republicanism in Mexico, our nearest neighbor,

and to set up a monarchy on its ruins, with a sovereign dependent upon himself. Yet, as the inferior of Great Britain on the ocean, he did not altogether disregard his obligations of neutrality; and when our Minister complained to him that vessels were fitting out in his ports to cruise against our commerce he promptly gave orders that they should be detained. Great Britain, on the other hand, conscious of her superiority, has been as unmindful of her neutral obligations toward us as she has always been unmindful of the rights of neutrals in others when she has been a belligerent. She permitted vessels to be built in her ship-yards, equipped in her ports, and manned by her seamen, to make war upon our commerce, and she has allowed them to depart, against the most urgent remonstrances of our Ministers, under the most frivolous pretexts. Her cruisers, sailing under the rebel flag, have literally swept our commerce from the ocean. Nay, more. For two years the armies of the insurgents were kept in the field through supplies of arms, ammunition, and clothing from her workshops. I believe it no exaggeration to say that she has cost us one hundred and fifty thousand lives, and added fifteen hundred millions to our national debt. Gentlemen, I am one of those who believe that these wrongs must be redressed. I do not object to the postponement of our reclamations until our internal tranquillity shall be fully assured; nor do I despair, when a better spirit shall prevail in the councils of Great Britain, of seeing our just claims acknowledged and disposed of by amicable negotiation. In the mean time we have this great consolation: the very aid which France and Great Britain, two of the most powerful nations of Europe, have given to the insurgent cause, has only rendered our triumph the more marked; and it may be that this prestige of success in a republic may react upon both those countries, and lead to a thorough reorganization of their social and political systems. We have reason to believe that the people of both, notwithstanding the bad faith of their governments, were on our side. The Liberal party in England, under Cobden, Bright, Goldwin

Smith, and others, openly declared themselves in our favor. For this reason, if there were no other, it would be our most earnest wish that the struggle which is going on in both countries between the many and the few—the many for the assertion of their just rights, and the few for the maintenance of their usurpations — should have their issue in a popular triumph. We do not interfere with the domestic concerns of European states. But nothing would be more gratifying to the American people than to see the whole brood of aristocratic non-producers—of whom the mythical 'Dundreary' is the type—compelled to go to work and earn their bread by manual or intellectual labor.

"I would have been glad to refer briefly to some other topics—to have spoken some words in praise of the zealous efforts of our able and patriotic President to restore good feeling between the different sections of the Union—something in regard to the reorganization of the system of labor in the Southern States on its new basis, a subject deeply concerning our prosperity as well as theirs. But the time allotted to me in the proceedings of the evening is drawing rapidly to a close; and I know (for I have been young myself) that there are many youthful hearts which are beating with impatience for the commencement of the festivities. I will, therefore, trespass for a single moment only on your kind indulgence.

"From the era of the rebellion we take, as it were, a new departure in the progress of our political system. Old and disturbing issues have been settled and should be buried out of sight. Slavery is abolished; and henceforth the soil of the North American continent is never to be pressed by a servile foot. The right of secession is exploded, and it is now settled that this Union is never to be dissolved excepting by the voluntary action and concurrence of a majority of all the parties to the fundamental compact; and if attempts are made from within or without to break it up by force, it is by force to be maintained. The doctrine of State sovereignty, which has been brooding over us for three-quarters of a century like

some ill-defined portent of evil, has vanished as a disturbing dream; and it is now understood, if not conceded, that the reserved rights of the States—rights which should be vigilantly guarded and resolutely maintained by themselves, and scrupulously respected by the Federal Government—are but rights of exclusive jurisdiction; and that sovereignty, one and indivisible, is the attribute of the central power alone. But this is too large a question to be discussed on an occasion like this—almost too large to be stated, however careful the form of words, without subjecting him who states it to the danger of misapprehension.

"With this re-adjustment of our social and political relations, and after this triumphant exertion of our power of self-preservation, new responsibilities devolve on us. We must enjoy with greater moderation the blessings and privileges which Providence has vouchsafed to us. We must exert our power, if possible, with increased forbearance, even for the assertion of our undeniable rights. We must practise toward all with whom we have relations, whether within or without the pale of our political system, the most strict and impartial justice. Since the days of the Revolution, when our fathers were led through seven years of toil, and suffering, and peril, almost as manifestly by the hand of God as the children of Israel were led through the wilderness, we never have been so significantly admonished of our dependence on Him, or have had so much cause to be grateful for our deliverance from surrounding evils. This sense of dependence and this feeling of gratitude must never be permitted to fade out of our minds or hearts. The altars of our religion and our freedom must stand side by side, that their fires may ascend in one common flame to Heaven. Then shall we have reason to trust that the blessing of God, which has been with us and our fathers under so many trials, will continue with us to the end in our new career of prosperity and power."

In the autumn of 1866 General Dix was appointed Naval

Officer of the Port of New York. It was understood, no doubt, that this was but the prelude to another appointment much more to his taste—that of Minister to the Court of the Emperor Napoleon III. Referring to the new honor thus conferred on him, he says:

"For many reasons I hesitated to give up the Naval Office, and with it the Presidency of the Union Pacific Railroad Company, to accept an appointment at a foreign capital. But the Government desired me to go, and, while considering the question of accepting the appointment, Mr. Oakes Ames came into my private room at the office of the Company, and said to me that the directors were unanimous in desiring me to accept the foreign mission and retain the Presidency of the Company; that my connection with it would be useful in making the enterprise known abroad; and he added, with a distinctness I have never forgotten, that it was their wish to have me remain in France to the end of Mr. Johnson's administration. Under these circumstances, and with these assurances, I resigned the Naval Office and accepted the foreign mission. The arrangement was made with the knowledge and consent of the Government, which was very desirous that the road should be completed at the earliest practicable day. The enterprise was in some sort a public one: the charter was granted by an Act of Congress, a large subsidy in bonds was given in aid of the undertaking, and the Government was willing to give importance to it by allowing an officer of high rank to hold the Presidency.

"At the time of my departure, and for some time previously, the directors of the Union Pacific Railroad Company were in session, discussing propositions to carry on the work of construction beyond the 100th meridian of longitude—known afterward as the Oakes Ames contract with the *Crédit Mobilier*, amounting to between $40,000 and $50,000 per mile—to the Rocky Mountains, when it had been satisfactorily ascertained that $25,000 would be the maximum cost. These propositions I opposed, as unjust to the Government, which

had a large interest in the road through the subsidy it was contributing, and equally unjust to the stockholders and the public; and my last words to the directors, who were in session on the morning of my embarkation, were to urge upon them the duty of making our contracts at the lowest reasonable price. On parting Mr. Ames promised to write to me at an early day."

I may add that Mr. Oakes Ames did not write; that the General, after waiting four months, addressed him a brief but peremptory communication, asking what the directors were doing, and complaining that they had kept him in the dark as to the settlement of the old contract and their arrangements for continuing the road; that he received no answer to that letter; and that it was during that period that the "Oakes-Ames contract" was under consideration, which was afterward carried into effect.

General Dix sailed for France November 24, 1866, his wife and daughters having preceded him. In many respects the change to a European life was very agreeable. He spent two years and a half at the French capital, finding refreshment and diversion of thought after the long and terrible strain of the civil war. The residence of the American Minister was in the Rue de Presbourg, Rond-Point de l'Etoile; the household consisted of the General and Mrs. Dix; my brother, John W. Dix, who was Secretary of Legation; my sister, Mrs. Charles F. Blake, and her two little girls; and my youngest sister, whose marriage to Mr. Thomas Walsh, of the house of Messrs. Walsh, Hall & Co., of Yokohama, in the Empire of Japan, took place during their stay in Paris.

It was said that this country had never had a representative at the French Court more popular than General Dix was at that particular time. He was received with warmth by the American colony at Paris, and at the Tuileries with unusual cordiality. His perfect familiarity with the language of the country was a great advantage; his knowledge of history, science, literature, and international law constituted the fit equip-

ment of a foreign minister, while his military rank and record were a guarantee of his patriotism and ability. At the palace he was a frequent and welcome guest. The kindness and consideration with which he was always received by the Emperor and Empress were so marked as to be far beyond those of mere official routine. The Empress merited the admiration with which he came to regard her, and the graceful compliment which, on a noted public occasion, he paid her. By her beauty, her spotless honor, her devotion to her religious convictions, her virtues, and her fidelity to her husband and child, she has made her place among those women whom noble hearts must ever hold in loving regard, and to whose deep misfortunes and agonizing sorrow is due the tribute of sympathizing tears. At the time of which I now speak all was still bright about the path of that fair sovereign, whose graces and accomplishments made her the most brilliant ornament of the Court, and charmed, as by an irresistible fascination, those who were admitted to her presence.

The state dinners at the Tuileries were always a subject of my father's praise, by reason of their brevity. We foolish Americans, imitators of the equally absurd English, sit at table from half-past seven till half-past ten, till, worn out and exhausted by the monotonous procession of the courses of a tedious *menu*, we ask ourselves in vain for a sufficient reason for this astonishing assault on the digestion, this reckless squandering of time in what becomes at length mere gluttony. But in France there was no such custom. The state dinners, to my father's thorough delight, rarely lasted longer than one hour; afterward the entire company withdrew to a *salon* of the palace, where they enjoyed music or conversation for the remainder of the evening. At these dinners, as at the grand receptions, every one appeared in full court dress. My father, with what I must consider as a very proper regard to the duty of a gentleman, wore a rich and handsome costume, appropriate to his office and character, until an order came from Washington forbidding our rep-

On one occasion, the Empress having gracefully spoken to one of the daughters of America, that person, failing to catch what was said to her, with an anxious face and a peculiar jerk of the head forward, cried, "*What say?*" On another occasion, the Emperor, having identified one as the son of a man whom he had known when in the United States, asked, "*Monsieur votre père, vit-il encore?*" "*No, sire,*" was the astounding reply of the embarrassed individual, "*pas encore!*" Incidents like these were the cause of real misery to the General, but also of no little merriment afterward, both at the Legation and at Court, for the Empress was quite able to appreciate and enjoy them, her knowledge of English being thorough. On the other hand, the duty of presentation was sometimes a most agreeable one, as in the case of Mr. George Peabody. That honest and good gentleman went to the palace with no little anxiety, though re-assured by the General, and returned with him in his carriage lost in admiration of the graceful and beautiful woman who had greeted him so warmly, and who, while thanking him for his thoughtful care of the poor people in London, had smilingly reminded him that she also had poor in her own country who needed such a friend as he.

Paris was overflowing at that time with all types of the American, among whom were some who made their own way, rushing in successfully where timid men would never have ventured to tread. There was one of our countrymen, for instance, from some far-off State, who had been postmaster of a village or justice of the peace; his ambition was to visit the Corps Legislatif during its session, and to occupy a place reserved for very distinguished guests. The General declined to give him a letter for that purpose, and assured him that it was impossible to obtain such a favor. Undaunted, he went off and, without aid besides his own wits, attained the object of his ambition. It seems that he went boldly to the house and sent in his card to M. Jules Simon (whose name he pronounced "Jew-Simon"), bearing the title of, let us say, "Postmaster of Bowieville, State of Arkansas, United States,"

upon which he was instantly admitted, it being supposed that this was some very eminent personage whose distinction entitled him to sit with the magnates of every land. The Frenchman is no match for Yankee wit, as any one may see who will read M. Oscar Comettant's *Trois Ans aux Etats Unis.*

Among the events of importance which occurred during those two years were the visit of the sovereigns on occasion of the *Exposition Universelle*, and the judicial murder of the unhappy Maximilian, King of Mexico. It was, truly, a memorable year—*annus mirabilis.* The Emperor of Russia and the Czarewitch; the Emperor of Germany and Prince Bismarck; the King and Queen of the Belgians; the Prince of Wales; the Crown Prince of Prussia; the King of Greece; the Sultan; and the Viceroy of Egypt—all were guests at the Tuileries during that summer. They were received by the Emperor and Empress of the French with appropriate honors. Among the entertainments provided were military reviews. On one of those occasions forty thousand troops appeared on parade. The display of the products of art and industry at the buildings near the Champs Elysées was magnificent. Paris was delightfully excited over these auspicious transactions, which impressed the superficial observer as being the harbingers of a long term of peace and good-will on earth. But dark trouble lay underneath the surface; the bright exterior was like those smiling fields which the red-hot lava of eruptions is soon to bury beneath its molten stream.

On the morning of the last day of the Exposition a courier came clattering at full speed into the court-yard of the house in the Rue de Presbourg. He bore an autograph letter from the Empress to the American Minister; it was written in extreme agitation and distress; she wished to know if he had received any news from Mexico, for there were at the Tuileries rumors of "*des bien tristes nouvelles*" about Maximilian. My father was, fortunately, able to reply that he had heard nothing of it as yet. Some hours later the tidings

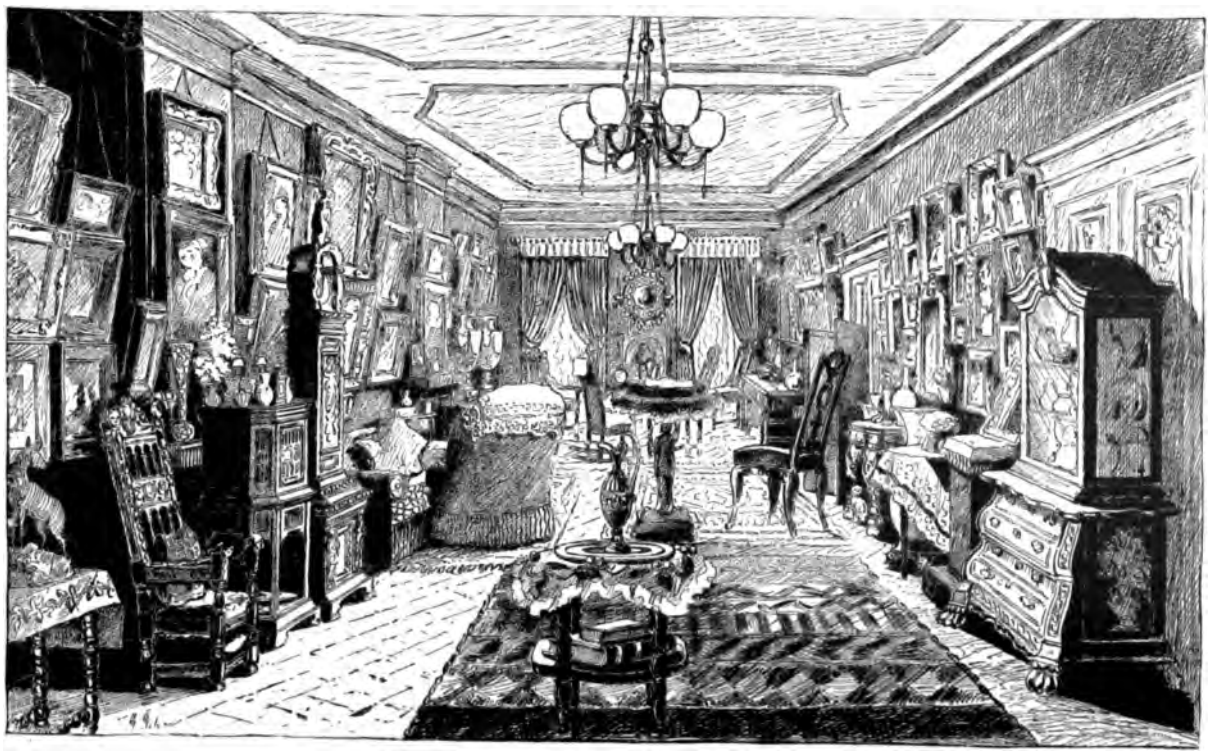
of the execution were received at the Legation. But the unhappy Eugénie, somewhat relieved, was able to nerve herself for the closing ceremonies of the day, in which she had to bear her part. Not until all was finished did she receive the intelligence of that fatal event which she dreaded, and of which she felt, no doubt, that the responsibility lay on her own head. The measure, as is well known, was disapproved by Napoleon III.; he yielded to the importunities of his wife; it was her favorite project; and she had to bear the misery of the failure, and its ghastly ending.

General Dix might have retained his position at the French Court had he desired to do so; it was the wish of the Emperor that he should remain. But he had already decided to return home, and requested the new administration to relieve him and appoint a successor. The Empress strongly urged him to stay, and wrote a letter asking if anything that she could say or do would induce him to reconsider his determination to return to America. On taking leave of the Emperor he received from him, as a parting gift, a superb pair of vases, from the Sèvres manufactory, which had been selected expressly for him. These beautiful works of art still form a part of the ornaments of the town house, and are represented in the accompanying engraving, showing the room in which they are kept, in the midst of many other valuable and curious things.

A complimentary banquet was given to the retiring Minister at the Grand Hotel on the 3d of June. Four hundred Americans at least were present; and it was remarked by one of the guests that the official retirement of General Dix was felt as a personal loss by every member of the American colony. On that occasion, in his farewell speech, he paid a tribute to the Empress which deserves to be held in immortal remembrance, as a parallel to that pronounced on Marie Antoinette by Edmund Burke, to which, indeed, he referred in the course of his remarks. Having alluded to the ancient bond of affinity between France and the United States, to the

advantages enjoyed by our countrymen resident in Paris, to the prosperity of the French people, and the great services rendered to them by the Emperor—of whom he said that, "in liberal views, and in that comprehensive forecast which shapes the policy of the present to meet the exigencies of the future, he seemed to be decidedly in advance of his Ministers, and even of the popular body chosen by universal suffrage to aid him in his legislative labors"—he thus proceeded:

"Of her who is the sharer of his honors and the companion of his toils—who, in the hospital, at the altar, or on the throne, is alike exemplary in the discharge of her varied duties, whether incident to her position or voluntarily taken upon herself—it is difficult for me to speak without rising above the level of the common language of eulogium. But I am standing here to-day, as a citizen of the United States, without official relations to my own Government or to any other; I have taken my leave of the Imperial family; and I know no reason why I may not freely speak what I honestly think, especially as I know I can say nothing that will not find a cordial response in your own breasts. As, in the history of the ruder sex, great luminaries have from time to time risen high above the horizon, to break and, at the same time, to illustrate the monotony of the general movement, so in the annals of hers brilliant lights have at intervals shone forth and shed their lustre upon the stately march of regal pomp and power. Such was one of her royal predecessors, of whom Edmund Burke said, 'There never lighted on this orb, which she scarcely seemed to touch, a more delightful vision.' Such was that radiant Queen of Bohemia whose memory history has embalmed, and to whom Sir Henry Wotton, in a moment of poetic exaltation, compared the beauties of the skies. And such is she of whom I am speaking. When I have seen her taking part in the most imposing, as I think, of all Imperial pageants—the opening of the Legislative Chambers—standing amid the assembled magistracy of Paris and of France, surrounded by the representatives of the talent, the



THE DRAWING-ROOM OF THE HOUSE IN TOWN.

genius, the learning, the literature, and the piety of this great Empire, or, amid the resplendent scenes of the palace, moving about with a gracefulness all her own, and with a simplicity of manner which has a double charm when allied to exalted rank and station, I confess I have more than once whispered to myself—and, I believe, not always inaudibly—that beautiful verse of the graceful and courtly Claudian, the last of the Roman poets:

'Divina semita gressu claruit;'

or, rendered in our own plain English and stripped of its poetic hyperbole, 'The very path she treads is radiant with her unrivalled step.'"

Some time before the General left France his connection with the Union Pacific Railroad Company was terminated by his resignation of the office of President—a step which he took in consequence of the ratification of the *Crédit Mobilier* contract. In addition to what has already been stated with reference to this subject, I have now to affirm, in the most positive manner, that he never had any interest of any kind, direct or indirect, in the *Crédit Mobilier*, or any connection with it whatsoever, nor did he ever receive any stock of any description from it; and that his hands were, from first to last, absolutely clean of complicity with a series of transactions which he strongly disapproved, and with arrangements which he regarded as in their nature fraudulent and immoral.

To make an end at once of this subject, I transcribe a memorandum, the original of which is in my possession:

"To correct any false impressions which might arise from the testimony given before the Committee of the *Crédit Mobilier* in regard to General Dix's connection with the Union Pacific Railroad, we desire to state the true history of the transaction.

"When appointed Minister to France he retained his office as President of the Union Pacific Road, at the express request of the directors, and with the knowledge and approval of the general Government; but when finally it was deemed advisable to have a President residing here, General Dix promptly tendered his resignation, and ordered his counsel to settle with the directors of the Union Pacific Railroad for the salary

then admitted to be due him as President, amounting to $12,000, and also to dispose of his stock in the Road, which the directors of the *Crédit Mobilier* were desirous of controlling, as it was original stock, fully paid, which had not assented to the *Crédit Mobilier* contracts.

"The result was, finally, that, for his total claims, General Dix's counsel, while he was in France, accepted the sum of $50,000, they acting under the advice of John J. Cisco, Esq. This claim was wholly for salary and for the value of the Union Pacific Railroad stock then owned by him, which was transferred to the *Crédit Mobilier* or to their agents; and no allowance whatever was made for services in Europe, for any negotiation of bonds, or otherwise, except as above.

"General Dix never had any stock, or interest in, or connection with the *Crédit Mobilier*, and the price he received for his original Union Pacific stock, and for his salary as agreed, was fair and reasonable in every respect. About the time General Dix's resignation was received, his place, with those of two other directors, then absent from the country, were declared vacant by the Board of Directors of the Union Pacific Railroad Company.

THOMAS C. DURANT,
CHARLES A. LAMBARD,
JOHN J. CISCO."

From the return of General Dix, June 15, 1869, until his election as Governor, November 5, 1872, there is little to relate. The three years were spent in literary pursuits and congenial occupations; among the latter may be mentioned the building a house at West Hampton for a summer home. He was frequently called on to take part in the public commemoration of interesting events: one of those events was the Unification of the Italian people, and the occupation of Rome as the capital city of the nation. In America the occurrences of 1870 and 1871 were watched with intense interest, and sympathy with the Italians was strong. In the city of New York some demonstrations of a reactionary character had been made by persons of the Roman Catholic faith who deplored the lost temporal power of the Papacy; and as it was thought that the report of their proceedings might place the American people in a false light before the European powers, it was resolved to give public and emphatic expression to the feeling of approval of the new condition of affairs.

The meeting held, January 12, 1871, at the Academy of Music will long be remembered; it was immense in numbers and in enthusiasm, attended by our first citizens, though remarkable for the absence of the leading politicians, who dared not appear, lest they might lose Roman Catholic votes. The call was signed by a great number, including such names as James Brown, W. H. Aspinwall, W. C. Bryant, W. E. Dodge, Marshall O. Roberts, Jonathan Sturges, Morris K. Jesup, A. A. Low, Samuel F. B. Morse, Francis Lieber, F. S. Winston, Horace Greeley, the Rev. Drs. Henry C. Potter, Henry W. Bellows, and William Adams, George T. Strong, Robert J. Livingston, Arnold, Sturges & Co., Grinnell, Minturn & Co., E. D. Morgan & Co. The object of the meeting, as stated in the call, was "to express to United Italy the sympathy and congratulations of the American people upon the emancipation of Rome, and its occupation as the future capital of the nation." It was added, that "the union of Rome to Italy fulfils the aspirations of the Italian people for nationality, gives to the Romans a constitutional government of their own choice, consecrates the right of national independence, and closes the long period of foreign intervention of which Italy has for centuries been the victim."

The meeting was called to order by the Hon. James W. Beekman, who nominated General Dix as presiding officer. On taking the chair he delivered the introductory address. The proceedings at the meeting, including the letters received from eminent individuals unable to be present, and the addresses delivered, accompanied by comments of the Press before and after the meeting, fill an octavo volume of two hundred pages. The part taken by General Dix on that occasion was acknowledged by a despatch addressed to him by King Victor Emmanuel five days later, and by this letter from the Italian Consul-general:

"Washington, February 11, 1871.

"*Legazione di S. M. il Re d' Italia agli Stati Uniti:*

"My dear Sir,—On the occasion of the meeting held in New York on the 12th of January, to celebrate the Unity of Italy, I felt it incumbent

on me to inform the Government of his Majesty the King of Italy of that splendid manifestation of American sympathy for the Italian cause. I have now the honor of fulfilling its commands by expressing to you its hearty appreciation of the distinguished part you took, as the presiding officer of the meeting, and also in begging you to convey its sincere sentiments of gratitude to the other eminent citizens who co-operated with you in that demonstration.

"The profound emotions with which I read the eloquent words of congratulation pronounced in that imposing and representative assembly, on an occasion so flattering to my country, only anticipated the joyful acknowledgments of the whole Italian people at this proof of the deep interest felt in them by free and powerful America.

"If ancient Rome implanted the seeds of civilization in the most remote portions of the Old World, the United States have certainly followed her example in regard to the New. In modern times, America, like Italy, has had to pass through severe struggles to establish national unity, and history will record these analogies of deeds and aspirations between the two peoples.

"My country is now going through the glorious work of reconstructing herself on the true basis of civil and religious liberty. In introducing there the principles of popular education, of decentralization in administrative matters, of complete separation between Church and State, she will not fail to avail herself of the splendid examples set forth by the United States. Italy, under the auspices of the magnanimous Dynasty who, with stout heart and valiant sword, has so much contributed to the emancipation of its country, has taken her place in the foremost ranks of modern civilization. Though always ready to draw the sword in the defence of its unity and independence, she will henceforth constitute one of the principal elements of peace in the concert of nations. America has understood this, and Italy responds with enthusiasm to the cordial salute sent to her across the ocean.

"In presenting the thanks of my Government to you and to the citizens of New York, who so heartily responded to the call, be assured of the lively satisfaction I take in the performance of so grateful a duty.

"Accept, my dear Sir, the expressions of my most distinguished consideration. L. CORTI.

"General DIX."

This letter was acknowledged in these terms:

"New York, February 15, 1871.

"MY DEAR SIR,—I have had the honor to receive your favor of the 11th instant, expressing, on behalf of the Government of his Majesty the

King of Italy, its hearty appreciation of the manifestation of American sympathy for the Italian cause at the meeting of citizens in this city on the 12th of January last. It will be a source of sincere gratification to all who participated in the proceedings to know that their earnest desire to see the Kingdom of Italy assume a distinguished rank among the nations of the earth has been responded to by its Government and people in a manner so cordial and so complimentary to the people of the United States. We should have been untrue to the principles of our own political system, and it would have been an ungrateful return for all the treasures we have drawn from the rich mines of Roman and Italian literature and art, if we had been indifferent to the renovation of Italy as a united nation, and to the generous efforts she is making to place herself in the foreground as a champion of civil and religious freedom in the Eastern Hemisphere. I am sure I speak the sentiments of every true-hearted American when I say that our sympathy will accompany her in her new career with a fervency increased by every successful step in her progress.

"I am, dear Sir, with distinguished consideration, your obedient servant, JOHN A. DIX.

"His Excellency L. CORTI, Minister of Italy to the United States."

Another event of interest, in connection with this period, was the visit of the Grand-duke Alexis to America during 1871–'72. He was received among us with the honors due to his rank, as well as with a cordiality arising from appreciation of the friendly attitude of the Government and people of Russia toward the United States during the war against the Secessionists. General Dix was called upon to take part in the ceremonies of reception. He met the distinguished visitor on his arrival, and was with him frequently during his stay in the city. Among the compliments paid to the Prince was that of a reception at the rooms of the Academy of Design, on which occasion a valuable picture, intended for the Emperor's gallery, was presented to him by several gentlemen of New York, as a token of their appreciation of the sympathy manifested by the Russian Government and people during the war for the Union, and in recognition of the hospitable courtesies shown by the civil authorities and the naval and military officers to Admiral Farragut and his companions during a recent visit to Russia. The picture,

painted by William Page, N.A., represented the battle of Mobile Bay, when the gallant Admiral directed the action from his place in the shrouds of the flag-ship *Hartford.* The ceremony of the presentation took place at the rooms of the Academy, on the morning of the 2d of December, 1871. A brilliant assemblage filled the apartment. General Dix, on behalf of the gentlemen by whom the gift was made, addressed the Grand-duke in a few appropriate words, to which a brief reply was gracefully returned by the handsome and dignified young gentleman, who was the centre of observation, and won admiration by his frank bearing and unassuming manners.

In token of his recognition of the services rendered to his son by General Dix, the Emperor of Russia sent him the Star and Cross of the Military Order of St. Stanislaus. The General acknowledged this kind act in the following letter:

"New York, November 8, 1872.

"SIR,—I have had the honor to receive your Excellency's letter of the 4th instant, advising me that his Majesty the Emperor of Russia has conferred on me the Imperial Order of St. Stanislaus of the first class, and transmitting to me the insignia thereof.

"I beg you to communicate to his Imperial Majesty my grateful sense of the distinguished honor he has deigned to confer on me—an honor the more highly appreciated on my part as bestowed by a sovereign who has attained so exalted an eminence by his enlightened labors in the cause of human improvement.

"With my sincere thanks for the felicitations expressed in your letter, I beg your Excellency to accept the assurances of my most distinguished consideration. JOHN A. DIX.

"His Excellency Baron OFFENBERG, Minister of Russia."

The Order was conferred on the General at his residence on Tuesday, November 5, 1872, by Mr. Waldemar de Bodisco, representing the Russian Minister. A small company of invited guests were present. It was the day on which the National and State elections took place. The General had chosen that particular Tuesday as one on which he would be free from business and sure not to be interrupted, and added,

with his usual merry smile and appreciative sense of congruities, "I think this the most appropriate time, for if I should be elected Governor I shall be able to wear my decoration on state occasions, while, if I am defeated, I shall have it to console myself with." In fact, he never once wore it, but put it away, with other family heirlooms, for transmission to his children. As he said to us, he valued it chiefly as the gift of one whom he regarded as among the most enlightened of European rulers, whose immense services to his country and his people will be perpetually remembered, amid the execrations of good men on the assassins by whose brutal hands and devilish arts he was hurried out of the world.

Among the strange episodes of my father's life was that of his connection with the Erie Railroad, as its President, in the year 1872. A brief review of the history of the Company is a necessary introduction to my narrative. The road referred to is a splendid specimen of engineering skill and commercial enterprise, but its annals are so striking as to seem almost incredible. Chartered in 1832, and organized the following year, the corporation found itself insolvent in 1842, with its property in the hands of assignees. After receiving the means of recovery by aid from the State, and individual subscriptions, the road failed to meet the interest on its mortgages, and, in 1859, passed into the hands of a receiver. Then came battles for its possession, fought by men of great resources and powerful intellect, whose aim appears to have been to obtain the control of all the channels of communication between the city of New York and the country outside it. In the course of the years of war which ensued the courts became involved and compromised, the City and State Governments were drawn into the affray, and scenes of violence frequently occurred. The directors, hampered by injunctions and flying from warrants of arrest, took refuge in an adjoining State, where they remained for months in exile, and whence they issued their orders; while the employés of the road were organized as armed forces for the protection of

their chiefs. It has been said of the controversies connected with the road that they left a dark blot of suspicion on every department of the Civil Service of New York; nay, the Executive was even put on the defensive against charges of complicity with the acts of the disturbers of the peace of the community and the prosperity of the people. When, finally, in the year 1868, an alliance was formed between the controllers of the road and the notorious "Ring" of this city, a state of things was reached which inspired general alarm. "The alliance was an ominous one. It consisted of the Erie Ring and the Tammany Ring, brought together in close political and financial union. This formidable combination shot out its feelers far and wide: it wielded the influence of a great corporation, with a capital of a hundred millions; it controlled the politics of the first city of the New World; it sent its representatives to the Senate of the State, and numbered among its agents the judges of the courts. Compact, disciplined, and reckless, it knew its own power, and would not scruple to use it."*

The history reads like a romance of Middle Age brigandage. Following it down to the year 1870, one comes occasionally on episodes which are actually thrilling. Such, for example, was the memorable fight at the Binghamton tunnel, between workmen from the Erie shops, under the command of officers of the Erie Road, and an opposing force of the Albany and Susquehanna Company—a battle brought abruptly to an end by the advance of a regiment of the State National Guard, ordered to the spot by Governor Hoffman. The State was in uproar over these detestable feuds; the people threatened to rise *en masse* unless the authorities would act, and it looked as if it might be necessary to put some districts under martial law.

The scandals and abuses to which I refer continued down

* "Chapters of Erie, and other Essays," page 64. By Charles F. Adams, Jr., and Henry Adams. Boston: J. R. Osgood & Co. 1871.

to the year 1872. The "Ring" at that time still held its ground in this city: the Company was under the control of men who managed it for their own private advantage; property belonging to the road had been stolen to the amount of more than ten millions of dollars; the fact was well known, though the evidence necessary to convict was not then attainable. The situation was such as to threaten the stockholders with the loss of their entire investments, while American credit in Europe was seriously impaired by the specimen of mismanagement and fraud exhibitied by that Company. It was under these circumstances that a plan was made to rescue the road from the control of the parties then in possession. Among the persons engaged in the salutary conspiracy were some of the prominent merchants, bankers, and lawyers of New York.

Their plan was to procure the resignation of a sufficient number of the directors, to put others in their places, and then to turn out all the officers and put in a new set. One thing, however, was essential to the success of the movement —that the person to be elected President should be a very strong man; one who could command the absolute confidence of the business community, at home and in Europe; one who should be above suspicion in every regard; one perfectly familiar with finance and financial operations; and one whose name and character would protect him from assault from his defeated opponents. The gentlemen engaged in the movement selected General Dix, as combining the qualifications which were needed. He was much surprised when the design was laid before him: he asked time to consider; the next day he gave his consent to act. He did this, not because he wished the office, but solely in the interests of suffering victims, and with a view to do what he could toward redeeming the reputation of American financial institutions. It was fully understood at the time that he would not, under any circumstances, hold the office longer than was necessary to accomplish these objects.

The proceedings were conducted with the utmost possible secrecy, as it was to be expected, from the past history of the management, that no means would be neglected to retain power, and that forcible resistance might be made. The offices of the Company were in the Opera House building, at the corner of the Eighth Avenue and Twenty-third Street. The place had more than once worn the aspect of a fortress, having bolts and bars, sentries at the doors, and an armed garrison within. Detectives and the city police were well acquainted with the precincts, and it required strategy and courage to enter with hostile purpose.

Everything was arranged by the evening of March 10, 1872. On the morning of the following day a party assembled and proceeded to the Company's offices. Measures had been taken to secure their personal safety in case of actual assault. All went on according to the programme which had been agreed upon; in due time the officers of the Company found themselves thrown out, and a new body elected, with General Dix at the head as President. He immediately took possession of his place. Nothing could exceed the surprise and indignation of the ousted party, who protested against the proceedings, and, uttering appropriate threats, withdrew to another quarter of the same building, where they intrenched themselves, refusing to submit, and claiming that they had been illegally displaced. Negotiations commenced and continued through the night. The new President and officers remained till one o'clock A.M., while a strong force of police kept the peace. Resistance appearing to be useless, the enemy capitulated on the following day, and decamped, leaving the new management in quiet possession of the field.

The result of this brilliant and decisive *coup-de-main* was what had been expected. Public confidence revived; the stock of the Company rose; a loan of $2,000,000 (then absolutely necessary to prevent the bankruptcy of the Company) was negotiated without difficulty. General Dix held the office about three months, and then withdrew, receiving from

the Company an expression of their gratitude in the form of complimentary resolutions, and also a still more substantial acknowledgment of their great obligations to him. By way of conclusion to the story I add this:

"Secretary's Office, Erie Railway Company, corner Eighth
"Avenue and West Twenty-third Street,
"New York, July 9, 1872.

"At a meeting of the Stockholders of the Erie Railway Company, held on the 9th day of July, 1872, the following resolution was adopted:

"*Resolved*, That the thanks of the Stockholders of this Company are cordially tendered to General John A. Dix, President; General A. S. Diven, Vice-president; and the other members of the Board of Directors, for the zeal and efficiency with which, at a trying crisis in the Company's affairs, they have labored to correct the gross abuses of former administrations, and to protect the interests of the stockholders; and for the measures they have taken to call the authors of these abuses to account.

(Seal.) "Attest, H. N. Otis, Secretary."

XI.

GOVERNOR OF NEW YORK.

A.D. 1873-1875.

Previous Offer of Nomination Declined.—The Nomination in 1864 and 1866.—General Dix a Democrat when Nominated in 1872.—Return to Albany.—The Staff.—State Finances.—The National Guard.—Murder Cases.—Foster.—Letter to the Rev. Dr. Tyng, and Correspondence.—Case of Waltz.—Simulated Insanity.—Letter from Dr. Ordronaux.—Opposition to Inflationists.—Message to the Legislature.—Defeat in 1874: its Causes.—Final Retirement from Public Life.

XI.

In the year 1872 General Dix was nominated by the Republican party as their candidate for Governor of the State of New York. Thrice before had his name been brought forward in connection with that office, and twice had he declined to enter the field of competition. There are matters relating to this subject which appear to belong to the secret political history of the State, and which will never, perhaps, be brought into clear light.

When General Dix was in command at Fortress Monroe, in 1862, it was the wish of the Union men of the State of New York that he should be nominated for Governor. Little doubt existed either as to the result at the polls or the advantage to accrue to the national cause from his election at that critical point in the war. But, as has been already related, he positively declined the nomination, and his name was then withdrawn.

A second effort was made in 1864. The defeat of General Wadsworth, two years before, and the election of Horatio Seymour, taken in connection with their losses in New Jersey, Pennsylvania, Ohio, Indiana, and Illinois, had discouraged the Republican party. That party was then divided into sections, one of which looked to Thurlow Weed as their leader and counsellor. Mr. Weed and the gentlemen with whom he acted were determined to secure, if possible, the nomination of General Dix, who was considered the strongest candidate, and likely to receive a large Democratic vote in addition to that of the Republicans. But active measures were set on foot by the opponents of Mr. Weed (among whom was Roscoe

Conkling) to secure the nomination of Reuben E. Fenton, at that time a member of Congress from one of the western counties of the State. Notwithstanding the skill with which the movement in favor of Mr. Fenton was conducted, there is little doubt that General Dix would have received the nomination of the Republican Convention but for certain circumstances which are still partially veiled in obscurity. A few days before the assembling of the Convention at Syracuse he received the following letter from Judge Hunt, then a private citizen of Utica, but subsequently of the United States Supreme Court:

"The Savings Bank of Utica, No. 167 Genesee Street, Utica, September 3, 1864.

"MY DEAR SIR,—Would you object to the use of your name as candidate for Governor by the Convention of the 7th, should that appear to be the general wish of the Convention? There seems to be no name for Governor presented that, I think, would command general respect, and I think your name will be suggested by very many. Will you be pleased to write or telegraph me so that I can hear from you by Tuesday morning? I am, very respectfully,

"WARD HUNT.

"General DIX."

To this General Dix sent the following reply:

"Head-quarters, Department of the East, New York City, September 5, 1864.

"MY DEAR SIR,—I have just received yours of the 3d, and thank you for your kind suggestion. I could not, however, accept the nomination for Governor if it were tendered to me. I am not, for that reason, the less earnest in my desire to do all in my power to sustain the Government in its efforts to put down the rebellion—an object only to be effected, in my judgment, by a steady and unwavering prosecution of the war.

"Very truly yours, JOHN A. DIX.

"WARD HUNT, Esq."

It has been said, and on very high authority, that if that letter had been read to the Convention, General Dix would have been nominated by acclamation; since the alternative then before the country was that of yielding to the South or of continuing the war, in spite of the discouragement and de-

pression produced by its length and the growing opposition of a considerable part of the people of the Northern States. But, for reasons not yet explained, the letter was suppressed, or shown only to a very few persons. The Convention having assembled, a strong desire was apparent to make General Dix the candidate. Mr. Weed, at that time his ardent friend, had, by a combination of untoward circumstances, been placed in a position in which he was unable or unwilling to act. Pending delays, which grew out of uncertainty as to the best course to be pursued, and gave opportunity for the development of the plans of Mr. Fenton's friends, a despatch was sent to General Dix, in Mr. Weed's name, asking if he would accept the nomination. To this he replied by a despatch from his head-quarters referring them to his letter to Mr. Hunt. It was the first intimation that Mr. Weed had of the existence of the letter. Before the document could be obtained, and even while the person who had gone in quest of it was hastening back with it in his possession, a vote of the Convention had been taken, and Mr. Fenton's nomination had been secured.

Two years later, in 1866, it had been arranged that General Dix should be the Democratic candidate for Governor; it being well understood that, in that event, leading Republicans would give him their support, as they were less anxious for the welfare of their own party than for the general security of the State and the Union, and deemed it of the utmost importance that a War Democrat should be at the head of affairs in New York. But again the public desire was thwarted, and this time by the interposition of an eminent individual who arose in the Convention and withdrew General Dix's name. It was taken for granted, of course, that he had the highest authority for doing so. I have reason to believe that he had no such authority, and that he acted without the knowledge or assent of the person immediately concerned—from what motive, or for what reason, I am unable to explain.

All this time, and down to the year 1872, the position of General Dix was well known. From the date of his en-

trance into political life he had been a Democrat. Before the secession of South Carolina he was a "*Union Democrat*," striving zealously to avert a collision between the States, and willing to make great concessions to preserve the Union and keep the peace. During the war he was a "*War Democrat*," never wavering in his conviction that the contest should be maintained until not one man remained in arms against the Federal Government. This was his position when, in 1872, he received the nomination of the Republican party. He had acted with members of that party for a long time before, and in his views on the war, finance, and other national questions was in accord with them; but he was still a Democrat, and as such became their candidate for Governor.

In proof of this assertion I present to the reader the following letter from Governor Morgan, who kindly permits me to make this use of it:

"*Personal.*

"Newport, August 1, 1872.

"DEAR GENERAL,—I telegraphed Mr. Jennings of the *Times* at twelve o'clock to-day (but as soon as I received your letter) that 'My judgment clearly is that General Dix's letter should first appear in the *Evening Post*, and next morning in the *Times*. It will do good.'

"I have read the letter, and like it much. It will do more with those Democrats who are dissatisfied with the proceedings at Baltimore than anything that has yet appeared. This whole business is one of the strangest of strange things, and it does not seem possible that success will follow the extraordinary coalition. I have on all proper occasions told our friends to nominate for Governor some one of the distinguished gentlemen known as Reform Democrats. I have believed that we can do better with such a nomination than with a Republican. I still believe so, and I hope Mr. Havemeyer, Mr. Green, and yourself will consider this subject, and advise our Convention, which is to meet August 21 (much earlier than heretofore), whether my recommendation is wise or not. I am anxious for the success of Grant and Wilson, and I am disposed to adopt such proper measures as will make success reasonably sure. I expect to be in New York next Tuesday, and hope to have an opportunity of conferring with you upon political affairs.

"With much esteem, yours truly, E. D. MORGAN.

"Major-general JOHN A. DIX, etc., etc., etc."

There is no reason to doubt that among the persons chiefly interested in bringing about this result was Mr. Weed, and that the nomination was due, in part, to his influence in the counsels of the Republican party. And I deem this a striking episode in my father's history—that those two men, who entered into politics about the same time, as antagonists, and remained in opposition to each other during the greater part of their lives, should yet have become fast friends at the last, standing shoulder to shoulder on a National platform. Such changes are not uncommon where men of pure conscience and strong convictions prefer principles to names, and find each other out through their common sympathy for whatever is held by both to be the right and the true.

Thus, after many years, it came about that the name of John A. Dix was brought before the people of this State for the highest office in their gift. It will be remembered with what enthusiasm the nomination was received: at the November election he had a majority of some fifty-three thousand votes. The expressions of satisfaction at this great triumph were cordial and wide, and no man ever went into office with a larger share of public confidence and personal esteem.

An invitation from leading citizens to a public dinner, to be given to General Dix, as Governor-elect of New York State, before his departure for Albany, concludes with the following words:

"We desire to avail ourselves of this occasion to express our entire confidence that your administration of the affairs of this State as its Executive head will be characterized by economy and efficiency in every department of the Government under your control; that, appreciating the emphatic expression of the people's will for a thorough reform in legislation, you will encourage and promote by all the means in your power the enactment of such laws as will protect and secure the just rights of all classes of our citizens, and thus restore the Government of this State to the purity of its early days.

"A long and unsullied life, so large a part of which has been spent in the acceptable performance of high public trusts, is a guarantee that you

will exhibit, in the distinguished position to which you have been elevated by so large a vote of your fellow-citizens, the same sterling virtues which have been evinced in your discharge of all official duties.

"We are, dear Sir, very respectfully yours,

"Wm. B. Astor,	J. J. Astor,	Charles Butler,
Alex. T. Stewart,	John A. Stewart,	Charles N. Russell,
W. F. Havemeyer,	J. D. Jones,	W. E. Dodge,
E. D. Morgan,	Edwards Pierrepont,	Jonathan Sturges,
Henry Nicoll,	H. G. Marquand,	Geo. Cabot Ward,
James M. Brown,	J. D. Vermilye,	Samuel D. Babcock,
John C. Green,	J. P. Morgan,	William H. Macy,
Royal Phelps,	Benj. B. Sherman,	Robert L. Stuart,
John J. Cisco,	R. Lenox Kennedy,.	Alexander Stuart."

General Dix replied as follows:

"3 West Twenty-first Street, December 14, 1872.

"Gentlemen,—I have had the honor to receive your favor of the 10th instant, inviting me to meet you at a public dinner.

"For this kind invitation, and for the flattering expressions of confidence and friendly regard with which it is accompanied, I beg you to accept my sincere thanks. My departure at an early day to take up my residence in Albany, and my urgent engagements in the mean time in arranging my private affairs here, compel me to decline the honor you have tendered me.

"I am in perfect accordance with you in regard to the popular expression at the late election in favor of a radical reform in the administration of the affairs of the State and its commercial capital. I consider it a verdict by the people against the corrupt and selfish management of political cliques — a condemnation of extravagance, fraud, malfeasance in office, and public plunder—and a declaration in favor of retrenchment in expenditure, a strict accountability in executive departments, and a purification of the halls of legislation, the prolific sources of abuse. To the accomplishment of these objects I am committed by views announced years ago, widely circulated during the late political canvass, and ratified, as I conceive, by an overwhelming majority of the people. So far as depends on me, these views will be faithfully and inflexibly carried out. It may be necessary for the Legislature, in extirpating the diseased parts of the body politic, to resort to sharp remedial processes; but I trust these processes will be performed with an unflinching hand; and in so doing the representatives of the people, who

have been chosen to execute their will, may rely on my most cordial co-operation.

"Renewing the expressions of my grateful acknowledgment of the honor you have done me,

"I am, Gentlemen, very respectfully and truly yours,

"JOHN A. DIX,

"Messrs. WM. B. ASTOR, ALEX. T. STEWART,
W. F. HAVEMEYER, E. D. MORGAN, and others."

General Dix was in his seventy-fifth year when he went to Albany as Governor; but it might have been truly said of him that his eye was not dim nor his natural force apparently abated. He went through the work of the following two years with an energy, a vigor, and a buoyancy remarkable in a man of that age.

The Governor's residence while in Albany was on Washington Avenue; the house was opposite the site of the new Capitol, which at that time was just rising above its foundations. The family met with a cordial reception in their old home. The two years spent there were fruitful in constant and striking assurances of the affectionate regard in which they were held by dear friends still residents of the place, and by the descendants of the friends of former times who cherished the memories of the past. The General was very fond of Albany; he liked the climate and the people; he there recalled with delight the scenes of former days, and appeared to renew the vigor of youth in the duties of his office and the oversight of his household. Those were, however, years of constant toil, and darkened by at least one very heavy affliction; but they formed an intensely interesting era in his life. On my occasional visits to the Executive Mansion, during his term of office, I found him bright, cheerful, and busier than ever. He kept himself in good health by regular exercise, taking his daily walk twice: in the morning before going to his room in the Capitol, and again in the afternoon before it grew dark. His favorite walk was up the avenue to a street called "*Snipe Street.*" The name of that thoroughfare

appeared to give him special satisfaction, by recalling memories of the sea-side and his favorite summer sport.

I give the names of his military family in full, because of their affection for their Chief, and their devotion to him ever thereafter; for when, six years later, he lay dead before the altar of Trinity Church, and under the flag which, by his order, was used as his pall, the old Staff were there beside him, faithful to the end. Their names were these:

Major-general JOHN F. RATHBONE, of Albany, *Adjutant-general.*
Brevet Major-general WILLIAM H. MORRIS, of Cold Spring, *Inspector-general.*
Brigadier-general KILBURN KNOX, of New York, *Chief of Ordnance.*
Brigadier-general N. GANO DUNN, of New York, *Engineer-in-chief.*
Brigadier-general J. HAMPDEN WOOD, of Albany, *Judge Advocate-general.*
Brigadier-general WM. M. SMITH, of Angelica, Alleghany Co., *Surgeon-general.*
Brigadier-general JOHN N. KNAPP, of Auburn, *Quartermaster-general.*
Brigadier-general RUFUS H. KING, of Albany, *Paymaster-general.*
Colonel GEORGE G. HAVEN, of New York; Colonel CHESTER GRISWOLD, of Troy; Colonel ROBERT C. PRUYN, of Albany; Colonel HAMILTON FISH, Jr., of New York; Colonel WM. A. W. STEWART, of New York; Colonel HIRAM P. HOPKINS, of Buffalo, *Aides-de-camp.*
Colonel SIDNEY DE KAY, *Military Secretary.*

It is not my intention to give a full account of what took place during General Dix's administration. That time is so recent that personalities could scarcely be avoided, were the narrative to be made complete; while the sources from which material might be drawn are such as to require more time than I have to give. Especially is this true in cases where reliance must be placed for the most part on the public journals of the day. It is the vice of the modern newspaper that it gives nothing to the reader, on the subject of politics, without coloring it to suit the party which it represents, or with which it happens to side for the moment. The public journals form the exact counterpart and contradiction of each other in their views, comments, and conclusions; so that he who resorts to them for the materials of history will find himself confused by

their diametrically opposite presentation of everything that happened, and should possess a strong power of analysis, a profound knowledge of affairs and ample time, in order to sift the truth out of the immense mass of litter and rubbish in which it is hidden. I shall, therefore, omit many things worthy of being noted, and confine myself to a few points which illustrate the Governor's policy on certain matters of high importance, and his mode of dealing with some trying questions. The latter especially will throw light on his character, and help the reader in forming a true estimate of the man.

As regards the State finances, the Governor's course was such as might have been expected: to no subject had he given greater attention during a long life, and on none had he more decided convictions. During a period of embarrassment and extravagance preceding his election, a large part of the Sinking Fund of the State had been diverted to purposes for which that fund was not intended, and applied to meet expenses not legitimately provided for by legislation. Aware of this fact, and believing that the honor of the State should be upheld, even at the possible cost of the temporary unpopularity of his administration, the Governor determined that the amounts so withdrawn should be restored, by means of taxation for that purpose. His views were opposed both by his political opponents and by some of his own party; but he carried them out with decision and success. I quote from a speech of his made at Albany, September 24, 1874, on occasion of a serenade given to him upon his renomination:

"When we took possession of the government there was a deficiency of $6,500,000 in the Treasury. Moreover, we found that $11,000,000 belonging to the Sinking Fund of the State, solemnly pledged to the public creditors for the redemption of the State debt, had been plundered and consumed in paying the current expenses of the government, in flagrant violation of the provisions of the Constitution. The deficiency referred to has been made up by taxation. The $11,000,000 fraudulently abstracted from the principal of the

Sinking Fund have been restored. The $15,500,000 which constitutcd the capital of these funds at the close of the last fiscal year are intact, the violated faith of the State is redeemed, and we can hold up the public escutcheon, without a stain, in the face of the whole country. But this is not the only reform we have brought about. We have done much to put an end to local and special legislation, to check the multiplication of corporate privileges in derogation of the rights of the people, to withhold the application of the money levied by taxation upon the State at large to objects of local improvement, and to arrest the current of reckless expenditure, which was encouraged and stimulated by fraudulent and felonious transactions on the part of the municipal authorities of the city of New York, and the extravagant and unscrupulous appropriations of money by the Legislature in excess of our revenues in the Democratic administration which went out of existence in 1872."

It may easily be imagined with what avidity the organs of the Opposition would take advantage of the fact that the rate of taxation was increased. They made the most of it for political capital, claiming that the subsequent reduction of the taxes during the succeeding administration was due to greater economy and a wiser financial management. The truth is, that the honorable policy of General Dix in replenishing the Sinking Fund, and re-imbursing the State for amounts abstracted by his predecessors, rendered it possible for his successor in office to relieve the people of a portion of their burdens. It was but another instance of the "*Sic vos non vobis*"—one man lays the foundation on which another builds; the rebuke is borne by one for transactions from which a more fortunate person reaps credit and praise.

In addition to several minor items of debt extinguished under the administration of Governor Dix, reference should be made to reductions in the State expenditure effected by means of Constitutional Amendments. Of these three were secured—one reforming the system of canal management, a

second reforming the system of State-prisons, and a third prohibiting all taxation for canal expenditures. Large savings were thus effected; but the fruits were not gathered till a later day, and the credit was calmly assumed by the persons who had most persistently opposed those beneficial measures.

A communication from the Governor, transmitting a report from Nelson K. Hopkins, the Comptroller of the State, in regard to the Sinking Funds, will be found in the Appendix, No. X.

In his oversight of the militia system of the State Governor Dix was thorough and keen; he brought to bear upon the subject a professional knowledge of military affairs and the enthusiasm of an old soldier. The administration of that system, governed as it is by frequent legislative enactments, is no easy task. The position of the citizen-soldier differs widely from that of the enlisted man in the regular service: the National Guardsman of the State of New York has rights as a citizen before the courts which, in many instances, appear to conflict with the popular notion of the duties of the soldier, and require careful treatment from his superior in command to insure his efficiency in time of need. In the most trivial, as well as the most important, of the questions of discipline which arose during his administration, General Dix exhibited the characteristics of the strict and severe commander, together with an earnest desire to secure exact justice, and a careful solicitude for the rights of the citizen. Under him the National Guard received important benefits: rifle practice was brought to a good state of advancement; the general condition of the force was one of efficiency and good order; and in several cases of discipline by court-martial—especially at Rochester and New York—officers of high rank found that, while eminent services were sure to be recognized, their position could not be used for personal advantage. In the cases referred to the proceedings were closely scrutinized by the Commander-in-chief, and his administrative officers found in him a wise and conscientious adviser.

No part of the duty of the Governor of this State is so painful as that thrown upon him by the power to pardon those condemned to death. The revision of sentences imposed by courts, and their remission, either in whole or in part, demand a high order of intelligence and an absolute conscientiousness in him to whom those functions are committed; when the life of a fellow-creature is involved the office becomes most distressing. Governor Dix was very cautious in his exercise of the pardoning power, and the number of cases in which release from imprisonment was secured was small, in comparison with that under some previous administrations. But in the case of men sentenced to death he exhibited a sensitiveness and a sense of responsibility which showed how deeply he realized his position, and how strong were his concern and pity for the doomed. Two memorable instances occurred—that of Foster, the "car-hook murderer," and that of Joseph Waltz. The former was remarkable for the interest taken in it by the public, the latter for the questions in medical jurisprudence raised after the conviction. Nothing could exceed the care and pains bestowed by him in considering the title of those unhappy men to clemency: in neither instance did he find cause to interfere with the due execution of the law. The case of Foster illustrated his firmness in resisting a tremendous pressure brought to bear on him by persons interested in the criminal, and bent on averting, if possible, his awful fate. A communication from the venerable and respected Rector of St. George's Church, New York—the Rev. Stephen H. Tyng, D.D.—greatly affected him and added to his distress. Prior to the execution—which took place on the 21st of March—the Governor addressed a letter to Dr. Tyng, which proves conclusively the importance attached to that communication, and to the case which elicited it. That document will be found in the Appendix,* but I place on record here two letters, of which the first was addressed to me, and the latter was enclosed to my care:

* *See* Appendix, No. XI.

"State of New York, Executive Department,
Albany, March 21, 1873: 1 P.M.

"DEAR MORGAN,—I enclose a letter from Dr. Tyng, which please keep for me. I send it because I know it will gratify you to read it. To me it is a great gratification to know that he—nearer than any person, except the relatives, to the unhappy man who has just gone to his last account—appreciates my motives justly. I have had need of such consolation in the terrible ordeal through which I have passed during the last ten days. God alone knows how trying it has been, for I have had your poor mother's strength to support while bearing my own burdens.

"Tell Dr. Tyng from me how much I appreciate his kind expressions, of which I had such need. You know how I have always respected him as an able and devoted laborer in his Master's service.

"Ever affectionately yours, JOHN A. DIX.

"Rev. MORGAN DIX."

The enclosure mentioned before was as follows:

"St. George's Rectory, New York, March 18, 1873.

"*To his Excellency John A. Dix:*

"I have the honor to acknowledge the condescension and respect manifested in the address of your Excellency, to my name, in the document received by me last evening, previously notified to me also by telegraph.

"I have no remark, in reply to your Excellency's communication, and no criticism upon its contents, to present in this respectful acknowledgment. I have no doubt or question in my mind that your Excellency has devoted the utmost possible consideration, and the most conscientious examination of the whole case, to this indispensable decision in your official authority.

"I have never encouraged the subject of my personal attention to a single hope that any other decision would be finally attained. My duty, as a minister of Him who came to seek and save the lost, has led me to follow this poor wanderer, if possible, for his own eternal salvation. I have dealt with him with all the intelligence, assiduity, and tenderness which I could command. I trust it will not be in vain. For his whole welfare I have done what I could.

"I hope I shall not be considered as passing from my conceded line of office or duty in the personal letter which has produced the communication which I now have the honor to acknowledge. And I am, with the highest respect,

"Your Excellency's faithful friend and servant,

"STEPHEN H. TYNG."

Certain expressions in my father's letter of the 21st will be understood when I state that, while oppressed with the case of the unhappy Foster, he had sustained an agonizing domestic affliction in the death of his youngest son, Charles Temple Dix. News of his decease reached us, by telegraph, on the 11th of the month. He died, very suddenly, of hemorrhage of the lungs, at Rome. It was a terrible blow; and, remembering what I saw when I went to them at Albany, immediately after hearing the news, I wonder how they sustained it as they did. I found the Executive Mansion quiet, sad, and hushed in the silence which follows on heavy distress. My father was calm and collected, though the pressure on him was terrible in two murder cases then in suspense, a contest about the Charter of this city, and the ordinary business of the office. The next day he took up his work again, though with a heavy heart; his secretaries were busy writing out his letter on the Foster case; and crowds of people poured in again as usual.

The sudden death of my brother was a shock to the American and English community at Rome, where he was well known and beloved. His health had not been strong since the war; but he was very hopeful, and devoting himself as usual to his much-loved profession as artist and marine-painter, which he had resumed after resigning his commission in the United States service. He left home March 30, 1865, sailing for Barcelona, and going thence to Italy. He never returned to us, nor did I ever see him again. In the month of March, 1868, at All Saints' Church, Kensington, London, he married Camilla Ottilie Watson, a niece of Mrs. Jameson, the well-known authoress. His married life was spent, for the most part, in Italy. Many bright hopes were buried in his untimely grave. His death came to us as a more distressing sorrow, because he was expected to return home during the following summer, to revisit scenes from which he had been so long an exile.

In the case of Joseph Waltz there were circumstances of

unusual interest. The crime for which he forfeited his life was committed at Athens, Greene County, N. Y., May 1, 1873. After his conviction he feigned insanity as a means of escaping the consequences of his act; and the question presented to the Governor was one which experts only were qualified to answer. In the *American Journal of Insanity*, July, 1874, will be found a memoir of the case, carefully prepared by the Governor, and filed with the other papers relating to the crime, the trial, and the execution. The paper is of great interest in its bearing on the subject of simulated insanity. Referring the reader to it for what is, really, the history of a *cause célèbre*, I am happy in being able to present him with a communication from Dr. John Ordronaux, a dear friend of my father's, and a gentleman well known in the community. While it relates, in part, to the case of Joseph Waltz, it contains other matters throwing light on the personal character of the General, and is especially valuable as proving with what extraordinary and almost incredible care and patience he was accustomed to deal with those persons whose life was in his hands:

"Roslyn, Queens County, February 1, 1882.

"*Rev. Morgan Dix, D.D.:*

"MY DEAR SIR,—I thank you for the opportunity which your request affords me of contributing a page to the biographical memoir of your honored father, with which you propose enriching American history. Nothing can be more gratifying to my feelings than to be permitted to express for his memory, in this way, that measure of reverence which, while living, I was always ready to pay him as a personal homage to distinguished merit. Aside, also, from those salient virtues exhibited by him on fields of public activity, and shining through so many decades of our legislative, military, and diplomatic life as a nation, I had the privilege of entering beyond the circle of our official relations, and of witnessing the operation of those elements of conscience, firmness, and superlative devotion to duty, whether relating to our external or internal life, without which there can be no true nobility of character or accredited eminence among a Christian people. We knew that when his hand was upon the helm the Ship of State or of the Church would ground upon no sand-bar and be dashed upon no rocks, for he made it apparent to all

that in any contingency of doubt or of peril he sought for guidance at that Source which error cannot invade, and out of which alone flows the light of truth, the wisdom of justice, and the equity of mercy.

"While these qualities were well known to those who shared the privilege of his personal friendship and saw the inner side of his character, it is not just to his memory that the knowledge of virtues which can serve to guide and inspire others to seek the highest planes of duty should perish with his contemporaries. I accordingly offer you two noteworthy instances of those rare combinations of Roman firmness, Christian tenderness, poetical fervor, and judicial excellence which enabled him to adorn whatever he undertook, whether in letters or in statesmanship.

"In the one will appear the tenderness of the Christian knight, responsive, even amid the din of war and in his harness of mail, to the still small voice of that faith practised in his daily life, and melting his heart at the sound of the church's call to prayers. In the other will stand out the Roman firmness of the executive magistrate, passing judgment upon the life of a fellow-being, and, amid the multiplied cares of his Governorship of an Empire State, making it his duty to give the most patient, painstaking attention to every detail of evidence on the trial of a convicted felon, in whose behalf law had exhausted every indulgence, and mercy alone asked for a hearing.

"In the month of June, 1864, I was stationed, with portions of the Fifteenth and Sixteenth Regiments of our National Guard, at Fort Wadsworth,* on Staten Island. General Dix was then in command of this Department, and made frequent inspections of the forts and batteries of New York Harbor. He was always accompanied by his Staff, and when the weather was fine the party was generally increased by the presence of civilians, including both ladies and gentlemen. On these occasions the firing of the appropriate salute on the arrival of the commanding General would attract the party to the vicinity of the battery in use. Sometimes it was the water battery that fired, and sometimes the casemated guns spoke their welcome. On the present occasion I had joined the General at the entrance of this battery, consisting of several tiers of guns, when it began firing. The reverberation being loud and unpleasant, all of the visiting party remained below, with the exception of the General, who asked me to accompany him to the parapets. When we

* The fort referred to was named after General Wadsworth, upon my father's suggestion. See the correspondence on the subject between him and the War Department, Appendix, No. XII.

reached them he sat down upon a gun, waiting for the salute to end and the smoke to clear away before speaking. Twice he had attempted to address me, and twice the sharp crack of a gun below us had drowned his voice. At last silence came, the smoke vanished, and instantly the beautiful landscape of the lower bay, with the moving vessels, the shores of Long Island, the highlands of Navesink, the white beach of Coney Island, and the blue waters dancing in the sunlight of a June day, flashed upon our view. Beneath us was a double tier of frowning guns; a little farther south a water battery of Parrotts, at the extreme angle of which loomed up a fifteen-inch columbiad, carrying a five hundred pound shot. To the west lay Fort Hamilton, its guns, like ours, covering the ship channel to the city. On every side the horrid instruments of war lay waiting the signal to begin their work of destruction. Just then the bell of the little church at Clifton began tolling. The General, who had been scanning the horizon, evidently rapt in the beauty of the picture before him, turned to me, and, with an eye kindling with emotion, said, 'Ah, Doctor! what a comfort it is to feel that God's grace follows us even in the midst of war! Here we are, a nation rent by civil discord, and yet there's not a church-bell North or South but teaches us the duty of peace and good-will toward our fellow-men. How strange that our Southern brethren should have rejected every offer of a peaceful compromise, and preferred to rush madly into this indefensible strife! I never hear a church-bell now without a feeling of gratitude that we are a religious people. North and South our churches, after all, are the best nurseries of our free institutions.'

"Such was the substance of his language, as I now recall it, after the lapse of seventeen years. My diary has a memorandum of the date and of the events—nothing more—and I am compelled to open the graves of memory in order to reproduce the scene and the language of the speaker. But his brimming eye, his beaming face, and the tones of his voice I shall never forget, as, rising from his seat on that gun, he exclaimed, in words of mingled sorrow and indignation, 'How strange that our Southern brethren should have rejected every offer of a peaceful compromise, and preferred to rush madly into this indefensible strife!'

"On the 14th day of March, 1874, a young man by the name of Joseph Waltz was convicted at Catskill of murder in the first degree, and sentenced to be hanged on the first day of May following. Waltz fully confessed the crime before his trial, and left no ground upon which any defence could be offered in his behalf. Nevertheless, on his trial the defence of insanity was interposed, but ineffectually, and he was convicted and sentenced as above recited. Although the justice who presided at the trial was satisfied that the verdict was a just one, he sug-

gested to Governor Dix the expediency of appointing a commission to examine Waltz with reference to his mental sanity. He accordingly requested me and Dr. John P. Gray to act as such commission. I had received a telegram calling me to Albany on the 14th of April, to confer with the Governor. The next morning the Commissioners met at his house, where we received instructions from him, and then proceeded to Catskill, to examine the prisoner. At parting the Governor gave us strict injunctions to report to him upon our return, at whatever time of the night that might occur. Accordingly, late that night we returned to Albany, and immediately proceeded to his house. It was nearly midnight, but we were evidently expected, as he himself opened the door for us.

"After some preliminary inquiries he asked us whether we were able, from our examination of the prisoner, to arrive at a definite conclusion as to his sanity. I answered in the affirmative, saying that we saw no evidence in him of any insanity, but, on the contrary, good evidence that he was attempting in a clumsy way to feign it; and I then proceeded to give our reasons for this conclusion. The Governor listened patiently, and then said, in low and solemn tones, and with great precision of speech, 'Your conclusion, gentlemen, coincides fully with my own; but remember that upon your decision and mine depends the execution of this man. It is a most solemn duty that we have to perform in thus pronouncing sentence of death upon a human being, and it should not be done hastily, even with the best evidence to justify it before us. Let us sleep over it, and ask wisdom from on high. Come and breakfast with me to-morrow, and then, if you remain of the same opinion, I shall be ready to receive your formal report.' The next morning we repaired to the Governor's. During the breakfast no allusion was made to the business which brought us there, though it was evident that his mind was pre-occupied with it. He spoke of the Foster case, of the petition that reached him from so many leading citizens, and of his reply to Rev. Dr. Tyng. He dwelt upon the gravity of the responsibility devolving upon the Executive in asking him to review the decisions of courts, and expressed the opinion that it was a power which ought not to be committed to one man. He spoke these things with much evident feeling; his voice lowered in its tones, and an overpowering sense of reluctance to question solemn judicial findings for the purpose of reversing them being implied in all that he said.

"When we had retired to the parlor he finally broached the subject by saying, 'Well, gentlemen, are you of the same opinion that you were last night?' We replied that we were. Then, suddenly dropping his voice, he remarked, 'I fully agree in your opinion. I cannot interfere

with his sentence; the man must die. There is no doubt either of his guilt or his sanity. Bring me your written report as soon as possible, and I will notify the sheriff that the law must take its course.'

"On Saturday, the 18th, I presented the report of the commission. In doing this I incidentally remarked upon the voluminous character of the evidence in the case which he had placed in our hands, saying that it made fifteen hundred and fifty-seven pages of letter-book size, or over three thousand folios, and that it had occupied us two whole days and the greater part of two nights to read and digest it. When I had concluded the Governor said, 'Yes, I know what that task is. I read it all myself, as well as the Judge's minutes of testimony. It took me several days to do it; but when a human life is at stake I always feel it obligatory upon me to omit nothing which can throw light upon the path of my duty.'

"Considering the fact that no one could doubt the propriety of the verdict, or the justice of the sentence pronounced in this case, the patient, painstaking care with which Governor Dix read every particle of this voluminous evidence, in order to discover whether anything in it would justify the exercise of Executive clemency, is a striking illustration of the judicial temper of mind with which he discharged every official act devolving upon him. With all this firmness there was still a tenderness of heart apparent to those who knew him well enough to perceive the struggle with which he arrived at a conclusion that grated upon his feelings. At such times it seemed to cost him a great effort to force his heart into line with his head, but none to execute a resolve when once solemnly formed.

"Regretting that I cannot from my personal experience add more illustrations than these of those excellences of character which inspired in all who approached your honored father a respect always terminating in reverence, I remain, my dear Sir,

"With sentiments of profound esteem, very truly yours,

"JOHN ORDRONAUX."

During the winter and spring of 1873–'74 the country was kept in anxiety and suspense by the proceedings of the inflationists in Congress. It was evident that they had strength sufficient to force through both Houses some bill embodying their fantastic notions, in which event the people would have nothing to depend on but the good-sense and firmness of the President for rescue from financial disaster and national disgrace. What passed at Washington was watched with intense

solicitude by Governor Dix. He was nothing if not a hard-money man; his feeling on the subject of paper-money, as a substitute for the precious metals, had a kind of personal cast in it which sometimes actually verged on the amusing. Mention has been previously made of the fact that during those long years of the greenback era, when no sight of coin was to be had, he carried a few gold pieces with him wherever he went, occasionally refreshing himself with a look at them, and with prognostications of the happy day of their re-appearance in circulation. The General, true to his life-long principles, viewed the plans of the inflationists, not merely with the disgust of an affronted intelligence, but with a certain personal indignation and wrath, which none could fail to perceive who heard him express himself unofficially on the subject. It was his conviction, in 1861, that the legal tender act was unconstitutional, that it was a violation of the rights of property, and that it was not necessary to a successful prosecution of the war. His views on this subject are stated in a letter addressed to the Hon. Reverdy Johnson, which will be found at page 227 of this volume. His convictions never changed; and it may be imagined with what disgust he regarded the failure of Congress to repeal the act, and with what indignation and alarm he watched the proceedings of those who would have fastened on the country what he regarded as an odious and corrupt system, or, at all events, would have prolonged it indefinitely. With these strong convictions, and in some uncertainty as to the course which the President would take, in case of the passage of a dangerous bill by Congress, the Governor determined to use his influence in making the voice of the Empire State distinctly heard at Washington, and thus, if necessary, strengthening the national administration in their resistance to that reckless agitation, which nothing but a Veto could stop. With this view he addressed a Message to the Legislature, which appears to me worthy of being held in perpetual remembrance. I have reason to believe that it made a strong impression on the President.

"State of New York, Executive Chamber, Albany, April 7, 1874.

"*To the Legislature:*

"I deem it due to the interest and honor of the State to call upon you, its chosen representatives, to take into consideration the propositions before Congress in regard to the currency. Though yet immature, and requiring the concurrent action of both Houses to give them the validity of law, they have, nevertheless, received in each such partial sanction as to excite serious alarm as to the result. In my Annual Message, in January last, I expressed the earnest hope that the paper circulation issued by the Government would be curtailed, and that early steps would be taken to resume specie payments. I did not anticipate that so extraordinary a proposition as that of inflating the currency by adding to the outstanding legal tender notes, or by authorizing a farther issue of National Bank paper, would be seriously made. In view of the purpose which has been indicated, to enlarge the volume of paper of both descriptions, and to repudiate all attempts to re-establish the standard of specie—a policy, as I sincerely believe, fraught with wide-spread ruin to the industry of the country, and with imminent danger to its credit—I invoke your interposition to contribute all in your power to prevent its adoption. Your opinion, representing, as you do, more largely than the Legislature of any other State, the financial and commercial interests of the Union, should carry with it great weight.

"The flagrant injustice of the proposed measure will be more apparent when you consider that, if adopted without repealing the Legal Tender Act, the result will be not only to depreciate the paper currency still farther, but to compel its acceptance in payment of debt; thus openly violating the solemnly proclaimed pledge of the Government five years ago to redeem its notes in specie 'at the earliest practicable period,' impairing the obligation of contracts, and consummating what the Constitution prohibits to the States as an act of moral and political turpitude. To degrade the currency, and at the same

time to compel the people to receive it as equivalent to specie, would be the most tyrannical exercise and abuse of financial power of which a civilized government has ever been guilty in time of peace. It differs in no essential respect, either under its moral or its practical aspects, from a degradation of the standard of specie by an adulteration of the national coin.

"Five years ago the sense of rectitude would have revolted at the suggestion of such an act of public perfidy; but a persistence in wrong and injustice rarely fails to reconcile farther wrong to the thought first and to the purpose afterward.

"If, spurning away all the teachings of history and trampling underfoot all the maxims of political justice, we adopt a policy as fraudulent as it is demoralizing, our successors will look back on our conduct with humiliation and shame.

"The millions of depreciated and irredeemable paper, if issued as proposed, will, by a law of distribution, which no human power can control, be poured into the city of New York to uphold and stimulate stock-gambling, to glut the channels of industry with false tokens of value, to embarrass all honest transactions of business, to cause reactions in the various departments of labor, by which the working-classes are thrown out of employment, and to shake to its foundations the fabric of the public credit. Against the introduction of such an instrument of dishonor and calamity we should enter our solemn protest, as we would against any other flood of contamination.

"I speak with a clear understanding of the force of my words. I believe and trust you will concur with me in opinion that the emergency demands the plainest and most emphatic language. I, therefore, recommend such an expression on your part as may comport with the dignity of the Legislature, and as you may deem due to the interest of your constituents. I am not without hope that a timely declaration of your views, to be presented to Congress through the Senators and Representatives from this State, may arrest the torrent of disgrace and disaster with which the country is threatened

from this source. If your protests and warnings are unheeded, you will have the consolation of reflecting, when the evil comes upon us, that no effort on your part has been spared to avert it. JOHN A. DIX."

The reading of this Message in the Senate was followed by the presentation of three sets of Resolutions, all of which were, on motion, referred to the Committee on Finance; and in the evening of the same day the following Resolutions were reported by the Committee, and adopted by a vote of twenty-five in the affirmative to three in the negative:*

"*Whereas*, His Excellency the Governor of the State of New York has this day transmitted to both Houses of the Legislature a special message relating to the inflation of the currency by the general Government, calling attention to the disastrous effect of such action upon the welfare and prosperity of the country: therefore be it

"*Resolved* (if the Assembly concur), That we fully approve and heartily endorse the sentiments expressed in such Message; and in view thereof, and of the Act of Congress approved March, 1869, which affirmed that the faith of the United States was solemnly pledged to the payment in coin of all the obligations of the United States not bearing interest (known as United States notes), and that 'the United States also solemnly pledged its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin;' and as this pledge has been repeatedly given, it is the judgment of the Legislature of the State of New York that it is the duty of the administration of the general Government at Washington and of Congress to stay the pernicious and ruinous policy of increasing the volume of irredeemable paper currency; and be it farther

"*Resolved* (if the Assembly concur), That our Senators and

* Two Senators asked to be excused from voting; but, as the Senate refused to consent, they subsequently voted in the negative.

Representatives in Congress be and they are hereby requested to resist, by all efforts in their power, any inflation of the currency through the farther issue of circulating notes by the Government, or by National banks; and that they be and they are also hereby requested, respectively, to promote by all proper measures an early return to specie payment; and be it farther

"*Resolved* (if the Assembly concur), That his Excellency the Governor be requested to transmit these Resolutions, with a copy of his Message appended, to the President of the United States, and to each of our Senators and Representatives in Congress."

The Assembly immediately concurred in the Resolutions, and they went to the Governor. He lost no time in sending them to Washington. There is no doubt that they contributed to strengthen the administration, and to prepare the way for the veto by which President Grant subsequently put the forces of the greenbackers and inflationists to a rout, and maintained the credit and honor of the American people.

I must beg pardon of the reader for referring, at this point, to a personal subject. On the third day of June, 1874, I had the great happiness of being united in holy matrimony with Emily Woolsey Soutter. The ceremony was performed at the residence of her mother, 22 East Seventeenth Street, by Bishop Potter. Soon afterward we went abroad, and spent the summer in Europe, visiting, among other countries, Denmark, Sweden, and Norway, and thus following, in part, the route taken by my father and mother on their wedding-tour.

During our absence we heard of the Governor's re-nomination. The proverbial uncertainty of New York politics was once more illustrated in a striking manner. In 1872 he had gone into office with a majority of about fifty thousand; in 1874 he was defeated by a majority very nearly as heavy. Such startling revolutions afford an interesting subject of study. It was generally confessed that the Governor's administration of his office had been worthy of his reputation

for honesty, conscientiousness, and ability; no failure in the due execution of the functions of the Chief Magistracy had occurred to discredit him in the eyes of the people, or give just occasion for assault by political enemies. How, then, are changes so sudden and so startling to be accounted for? Their causes must be sought below the surface, and outside the range of questions as to the personal character of men and their qualifications for a given post. Perhaps they may be, in part, the result of a system which, though going by the name of government by the people, appears to be, in reality, a government *of* the people by a few astute managers of public affairs, profoundly versed in the arts of the politician, skilled in the manipulation of voters, and unscrupulous as to the means of gaining and keeping power. In my father's case, however, two special causes led to his defeat. The first was the reaction against the administration of General Grant, and the fear—which, in some quarters, took the form of panic—that he might be re-elected for a third term; for it was predicted by alarmists that such re-election must result in a perpetual tenure of the office, and the subversion of republican forms of government. Whatever were the springs of that sentiment, there was, undoubtedly, a profound dislike, a dread, of the administration, which extended to all who were regarded as its supporters; so that the intense opposition to a re-election of the distinguished soldier to whom the greatest victories of the late war were due involved an equally strenuous opposition to the re-election of General Dix. But it is said that there was another cause for his defeat. The Republican party in the State of New York was at that time practically under the control of certain prominent politicians, whose aid was indispensable to the success of the canvass. But they deliberately refused to support the candidate of their own party, preferring defeat that year to the re-election of one whom they desired to remove from the stage of public affairs. Either of these two causes was strong enough to make the re-election of General Dix exceedingly difficult:

united, they insured defeat. In the State of New York there was, perhaps, no man better fitted than he in every particular for the Chief Magistracy, nor one more worthy of confidence, trust, and esteem. But that is not the usual question now; the point to settle is, what use can be made of a man by those who help him into office. If he assert his freedom to act as conscience dictates, fail to honor the drafts made on him by the selfish, or stand in the way of the ambitious, the course usually taken is to stab him in the back, and so clear the way. It was not because he had left undone what a Governor ought to do, or done what a Governor ought not to do, that my father, after so many years of able and honorable service, was sent into retirement. The matchless political manager desired to be rid of him, as of every possible or probable rival of his own advance. The vulgar and uneducated voter exercised his right of suffrage with the idea working blindly in his brain that a change in the State government meant a change for the better in his own petty affairs. I heard of a case in point which it were well to note, *in perpetuam rei memoriam*, and by way of comment on the advantages of universal suffrage. Down on the Great South Bay a friend of ours met a fisherman, who said that he should vote against General Dix. "But why? Are you not a Republican?"—"Yes." "Do you not think that he has made a good Governor?"—"Oh yes; I 'ain't no fault to find with him at all." "Well, then, why should you vote against him?"—"Well, you see," was the intelligent reply, "the times is hard, and I think we want a change. The fact is, I haven't averaged more than half an eel to a pot this two months, and I guess we'd better have a change; and so I'm going to vote the Democratic ticket this time."

The old soldier took his defeat philosophically; he was perfectly aware of its causes, and fully appreciated the conduct and motives of those to whom, in great measure, it was due. He disliked thenceforth to be addressed as "Governor." He used to say, "Call me General. By Act of Congress I have

the right to that title, with my uniform and sword, as long as I live; but the people of the State of New York have taken the other title from me, and I prefer not to keep what I have now no claim to."

And with this I close the record of my father's public and official life. His work was accomplished; the day hours were drawing toward the close, and the sun was sinking fast. Nothing remains but to touch briefly on topics relating to the home life and home pursuits, and then to pass on, and speak of the final scene of his departure out of the care of this transitory world.

XII.

THE LAST FOUR YEARS.

A.D. 1875-1879.

Final Retirement into Private Life.—Comptroller of Trinity Church.—Letters to President Grant on the Taxation of Church Property and Church Buildings.—Defence of the Church against the aspersions of Free-thinkers.—Address on the Political and Social Evils of the Day.—Enthusiastic Reception at the Centennial Celebration in New York, July 4, 1876.—Letter to President Hayes on Civil Service Reform.—Speech on Paper Money *vs.* Coin.—Attainments as a French Scholar.—Classical Studies.—The *Dies Iræ:* Letters from Eminent Authors.—Other Translations from the Latin Authors: the *Stabat Mater:* Martial, Claudian, Modestinus, Catullus.—Address as Honorary Chancellor of Union College.—Personal Reminiscences.—Portraits.—The Golden Wedding.—Death of John W. Dix.—Life at Seafield: Shooting.—The Eightieth Birthday.—The Last Illness.—The End.

XII.

WHEN, on the first day of January, 1875, my father resigned to the hands of his successor in office, Samuel J. Tilden, the helm of State, he withdrew finally from the stage of public events. The dignified ceremonial of that occasion —when the out-going Chief Magistrate welcomes with gracious and cordial words him who takes his place, receiving in return, through his successor, the assurances of the regard of his fellow-citizens, and their thanks for his services to the State—constituted, in this instance, the last farewell to those stirring scenes, those cares and heavy responsibilities, in the midst of which the greater part of his life had been passed. The shadows of the evening hours already filled the sky, and the night was to descend erelong upon the road. But the four remaining years were not a term of idleness or inaction. Passed in the home which he loved so dearly, and among those who surrounded him with proofs of devoted affection and prayers for the continuance of that honored life, they were brightened by the lights which kindle their peaceful and gladdening beams at the closing of the day, and give welcome presage of the nearness of the sunny land beyond. Old age sometimes, if not frequently, wears a morose and melancholy aspect; the failure of the physical powers is attended by distresses and pains which too often dim the light of the soul, and transform the jaded wayfarer to an image the very reverse of his former self. But no such results were to be observed in the case of my father. Bright, cheerful, and active; blessed with the full possession of his faculties; able to give attention to as much work as it was best for him to

do, and to divert himself in the honest and simple pleasures which had formed the relaxation of his busiest years; happy in the companionship of faithful friends, and in the diligent study of his favorite authors; as intensely interested as ever in public affairs and every event of the day; a devout believer in the Christian religion, and a regular communicant at the altars of the Church; in favor—as we doubt not—with God, and in perfect charity with the world, his last years presented a fair picture to the eye, and realized the fine and well-known description of the classical moralist: "Aptissima omnino sunt arma senectutis, artes exercitationesque virtutum, quæ in omni ætate cultæ, cum multum diuque vixeris, mirificos efferunt fructus, non solum quia nunquam deserunt, ne in extremo quidem tempore ætatis (quamquam id maximum est), verum etiam quia conscientia bene actæ vitæ, multorumque benefactorum recordatio, iucundissima est."

Of him, also, could it have been truly said: "Videtis, ut senectus non modo languida atque iners non sit, verum etiam sit operosa et semper agens aliquid et moliens; tale scilicet quale studium in superiore vita fuit." Of this characteristic of his closing years some illustrations shall now be given.

We knew that some congenial occupation was necessary to insure his happiness and prolong his life. He was one of those active and indefatigable men who cannot exist without something to do. It is a great pleasure to me to reflect that the work of the closing days was directly connected with the highest of all interests, those of morality and religion. For a great many years he had been a member of the Vestry of Trinity Church; on the 8th of January, 1872, he was elected Comptroller of that Corporation. On his return to New York, in 1875, he was urged to resume that office—which he had, of course, resigned when he went to Albany as Governor. To this request, which was unanimous and peremptory, he acceded; and he held the position till the day of his death, fulfilling its duties with zeal, industry, and ability. His knowledge of business and finance, and his familiarity with

public affairs, made him an admirable head of a Corporation which is continually assailed from divers quarters, and as constantly misrepresented by the ignorant, the vicious, and those who, jealous of religious and charitable corporations, would fain curtail their powers and plunder their possessions. It is in order, at this point, to call the attention of the reader to certain letters on the subject of the taxation of Church property and sacred edifices, written by General Dix, at a time when schemes sacrilegious in their nature were not only actively pushed, but also receiving such support in high quarters as to make the outlook somewhat alarming. The temporary defeat of those efforts was due in part to the impression produced by his eloquent and pious remonstrances; and it is an interesting fact that, since his death, the letters were republished and widely circulated, at a time when attempts at Church spoliation were renewed during a session of the Legislature of this State. The first of these letters was addressed to President Grant, and is as follows:

"New York, December 17, 1875.

"*His Excellency U. S. Grant:*

"DEAR SIR,—I do not trust too much to the accuracy of newspaper reports of interviews with distinguished men; but if the following extract from a letter in the *New York Herald* of this morning is correct, it would seem that you are under a misapprehension—not, perhaps, an uncommon one—in supposing that the property of Trinity Church in this city is not taxed:

"'*Taxation of Church Property.*

"'Dr. Newman asserted that the President was misunderstood if he was believed to be inimical to any sect or denomination. Since the Message was written Methodist callers at the White House had upbraided him for so severe a blow at his own Church, the census of 1875 showing that the property of the Methodists in that year was about $80,000,000. The President replied that he was acting from a broad principle, wishing to do equal justice to all religious persuasions, and that the exemption of Church property was putting an unfair burden on other property. He cited as an instance the enormous wealth of the Trinity Church Corporation of New York City.'

"The fact is, that the Corporation of Trinity Church is taxed, under the laws of this State, precisely in accordance with the suggestions in

your Message to Congress. Its property consists of church edifices, cemeteries, school-houses, an infirmary, a rectory, and several hundred lots of ground, which, with the exception of a few used for parochial purposes, are leased partly for short and partly for long periods. On the short leases the Corporation pays the taxes; on the long leases the taxes are paid by the lessees. I paid in September last, as Comptroller of the Corporation, on the former, $46,943 91; and we estimate the amount paid on the latter at $60,000, making over $100,000 paid to the city this year for taxes, besides a considerable sum for assessments. We pay taxes on every foot of ground used for secular purposes. We pay on our rectory, in which the Rector resides, on the office in which the business of the Corporation is transacted, although it is within the boundaries of St. Paul's Cemetery. In fact, nothing is exempt except the church edifices, the cemeteries, four school-houses, in which free schools are kept, and an infirmary, in which the sick receive gratuitous treatment.

"I know you will be glad to have this information. I have always been of opinion that the several States should tax all secular property belonging to Churches within their respective limits. Cemeteries are exempt by universal consent. I think church edifices should be, as I believe they always have been in Christian communities. To tax them would seem like making the Creator and Sovereign Ruler of the universe pay tribute to us for allowing a part of his footstool to be used for the worship which is his due.

"I am, very respectfully and truly, yours, JOHN A. DIX."

The second letter relates to the taxation of the edifices dedicated to the worship of Almighty God. It was addressed to an eminent and well-known layman of the diocese of Albany, and is as follows:

"New York, March 7, 1876.

"MY DEAR SIR,—I was surprised and grieved to learn that the taxation of church edifices had been seriously and even earnestly advocated before the Committee of Ways and Means in the Assembly. It is virtually a proposition to impose a tax on the worship of Almighty God, unless it is rendered in the open air or in some building already subject to taxation. No one objects to the taxation of any Church property devoted to secular uses. It is the imposition of taxes on houses of worship that is objected to as a profanation of that which should be held sacred.

"One of the advocates of the measure commends to us the example of the primitive Christians in regard to out-door service, as if a parallel

could be drawn between the climate of Judea, radiant with sunshine and perennial bloom, and ours, in which (extraordinary seasons excepted) we are buried in snow two or three months, and pinched with cold, even when under cover, two or three more.

"Another says that the Apostles achieved their successes without churches.

"But these references to the habits of the early followers of the Saviour manifest an extremely superficial knowledge of ecclesiastical history. The Last Supper was administered by him in an upper room, and most of his teachings were in the synagogues. The Acts of the Apostles show that they preached in the Temple at Jerusalem whenever they were allowed to do so, and in the synagogues at Antioch, Thessalonica, Athens, Corinth, Ephesus, and wherever else they went. They used Jewish houses of worship, because they had none of their own. After the ascension of their Divine Master his followers were for a long period of time the objects of Jewish and pagan persecution, sustained by the temporal authorities, and their worship was conducted in hiding-places, sometimes in catacombs in the bosom of the earth. If they had been blessed with the religious toleration which we enjoy, and had possessed our wealth, there is every reason to believe that they would have built houses of worship as tasteful and costly as our own. The instinct of all communities of men is to erect for the worship of their Creator edifices responding to their conceptions of his majesty and his beneficence. There are, as we all know, more inexpensive than expensive houses of worship; but it is because, in the great majority of religious societies, there is an inability to do more. It is creditable to Christians of all denominations that their expenditures for religious worship are only limited by their pecuniary means. We cannot doubt that the primitive Christians entertained as elevated views of the dignity of the service due to their Heavenly Father as their Israelitic predecessors, who built the Temple of Jerusalem. The Divine Founder of our faith gave an impressive proof of his conception of the sacred character of edifices consecrated to the service of God by driving the money-changers out of the Temple—the only act of violence in his meek and compassionate life; and I trust we shall have courage and reverence enough to imitate his example, and prevent the money-changers from getting a foothold in our houses of worship and converting them into dens of thieves.

"As soon as the primitive Christians ceased to be objects of persecution, and were protected by their civil rulers, they began to erect expensive houses of worship; and from the era of Constantine they converted splendid pagan temples to the service of their Maker. There

are now in the city of Rome seven or eight of these temples reclaimed from heathenism and consecrated to Christian worship. From that day to this—during the lapse of nearly sixteen hundred years—no government has undertaken to make church edifices pay tribute for the privilege of worshipping God. Even the pagans, through the veneration in which they held the temples dedicated to their idols, manifest more reverence than the promoters of this raid upon religious worship. No movement has given such encouragement and comfort to unbelievers, who would create every possible impediment to the progress of Christian teaching, as this proposal to tax church edifices. Sectarian dissensions have succeeded in driving religious instruction out of the public schools; and now cupidity and unbelief would break down the Sunday-schools by pecuniary impositions upon the edifices in which they are held, and set communities and neighborhoods at work to calculate the cash value of religious worship. It is difficult to conceive that the proposition could have had its origin in any other breast than one unfriendly to all Church organizations, or one in which the love of money is the predominant passion. If those who have set on foot this movement want more money, let them tax their rum, their tobacco, their pictures, fast horses, game dogs, liquor saloons, dance-houses, clubs, theatres, diamonds, equipages—everything, in short, which ministers to their pleasures, their tastes, and their sensual indulgences. Nay, let them tax their seminaries of learning, their institutions devoted to human science, and even the grounds in which the unconscious bones of their ancestors repose, rather than invade with mercenary exactions the edifices devoted to the worship of Almighty God, and to the teaching of our duty to him and our neighbors.

"Some of the abettors of this movement have had the magnanimity to let us understand that they are ready to compromise with the Sovereign Ruler. They will make reasonable concessions. They will allow $1000 of the value of each of his churches to be exempt from taxation, and only exact payment on the residue. They may, perhaps, go so far as to allow $2000—as much as it would cost a well-to-do farmer to house his horses and his horned cattle. There is a degree of sublimity in this condescension which beggars all comment, and I dismiss it. With those who think the Almighty sufficiently honored by rendering him homage in buildings no better than barns and out-houses, no matter how abundant the pecuniary means of the worshippers, and who attach no more sanctity to one class of those edifices than to the other, it would be equally fruitless and humiliating to hold any parley or conference. In manifold instances, both in the Old and New Testaments, a house of worship is called the house of God, and it is always named with appropriate

expressions of reverence. The universal heart responds to this designation, and no matter how humble the edifice consecrated to his service, all men when within its hallowed walls feel more sensibly than they do amid the turmoil of the outer world that they are in the presence of the Omnipotent Being, by whom the great forces of the universe are moved and controlled, and that by ignoring him they renounce all hope of a higher state of existence.

"The scheme should be repudiated in all its parts. One can hardly debate it without a feeling of abasement. It is not a subject for human logic. It is not a problem of profit and loss, to be argued by religious obligation on one side and financial cupidity on the other. It is a matter of instinct, of inborn reverence, of the consciousness which every mind not perverted by the sophistications of worldly science has of its own immeasurable inferiority to the Sovereign Ruler of the universe, and of the homage it owes him as its Creator and Redeemer. There is something revolting to the moral sense in its normal state in the idea of making a mercenary profit out of an edifice consecrated to his service. When this inner sense is wanting argument is fruitless.

"The most attractive objects which meet us in our travels in Europe are the cathedrals. Amid all the wars, the bloodshed, the barbarities, the desolation which nations have visited upon each other, under the misguidance of their evil passions, these monuments of their faith and their devotion come out from the dark background of the picture in bright relief as sacred tributes to the Creator of the universe. No man can stand beneath their domes and vaulted roofs without feeling that they atone for much of the wrong committed by their authors, who lavished on them without stint the wealth they would otherwise have wasted on ostentatious gratifications or unholy indulgences. Heaven forbid that the lesson of these comparatively uncivilized ages should be lost on us, and that in this day of intellectual light and social refinement the tax-gatherer should be sent to fill his bag of lucre by levying contributions on the sanctuaries of the living God!

"I do not believe that any community which seeks to throw its secular expenses on the worship of God by levying contributions on the edifices consecrated to his services can long escape the chastisement it provokes. It is not necessary to look for special visitations of ill as manifestations of his displeasure. Cupidity, selfishness, rapacity, the profanation of things which should be held sacred, carry with them, by the force of immutable laws, the retribution denounced by the codes they violate.

"All religious denominations have the same interest in preventing their houses of worship from being desecrated and secularized by taxa-

tion. As was beautifully expressed by Madame de Staël: 'Their ceremonies are strongly contrasted; but the same sigh of distress, the same petition for support, ascends to Heaven from all.'

"It seems to me that this whole movement is calculated to create in the breasts of reflecting persons a feeling of profound sorrow and unmitigated disgust. The proper mode of treating it is to banish it from the committee rooms, legislative halls, and social circles which it has defiled by its presence. To give it any countenance would be to furnish new ground for the national reproach too often cast upon us, that the almighty dollar is the chief object of our adoration.

"I am, dear Sir, very truly yours, JOHN A. DIX.

"ORLANDO MEADS, Esq., Albany, N. Y."

Another important service was rendered to the Corporation of Trinity Church by its venerable Comptroller, on occasion of an attack on it in the columns of the *Index*, a journal published in Boston as the organ and mouth-piece of freethinkers and infidels, whose aim is to erase from our constitutions and statute-books the name of Almighty God, and prevent any recognition of religion in the official acts of the Government. The article referred to afforded a striking instance of the recklessness in calumniation and the total disregard of facts which always characterize the mere partisan, whether he be religious or irreligious; for the spirit of bigotry, wherever it dwells, is one and the same, whether it pretend to bless the Lord or venture to curse him; and never, perhaps, was a rash assailant stripped more completely bare than on the occasion now referred to. It does not comport with the scope of this work to reprint the scurrilous libel, but the reply to it may be read in the Appendix to this volume.*

The General took a warm interest in everything relating to the parish with which he was thus personally and officially connected. He lent a ready ear to every reasonable proposal tending to the development of the work carried on among the poor residents of the lower wards, and viewed with pleasure and cordial approval the efforts of the Rector and clergy to

* *See* Appendix, No. XIII.

add dignity and beauty to the service in the parish church and chapels. He felt what amounted to enthusiasm on the subject of the extension of our work by the erection of free mission chapels, and wished to have those buildings made so comfortable and attractive as to compare favorably with the churches in other parts of the city, and so thoroughly furnished in every particular as to leave the mission priests nothing more to desire in the equipment for their benevolent work. It was he who suggested the placing on the spire of St. Augustine's Chapel a cross capable of being illuminated by night; and at his request, and in deference to his wishes, the calcium light was first used in Trinity Church to throw a superb and unearthly radiance upon the altar and its stately reredos at the High Celebration on great feast-days. He was an intelligent and well-read Churchman; broad and liberal in the best sense of the words; one of those laymen on whom the clergy are glad to lean, finding in them loyal and faithful sons of the Church. He frequently represented the parish in the Convention of the Diocese, and had the honor of election as a delegate to the General Convention, though unable to attend its session. He was a member of many important committees, and trustee in more than one of our diocesan boards.

It need hardly be said that he was often invited to deliver addresses or lectures on questions of interest to the public. I am indebted to my worthy and respected friend, the Rev. S. Irenæus Prime, D.D., for the following account of one of those occasions — that of the delivery of an address on the "*Political and Social Evils of the Day:*"

"New York, March 1, 1882.

"*To Morgan Dix, D.D.:*

"REVEREND AND DEAR SIR,—The year 1876 was celebrated as the Centennial Anniversary of the Republic. The New York Association for the Advancement of Science and Art wished to signalize the opening of the year by having an address, appropriate to the period, delivered by a distinguished citizen. The thoughts of the Committee of Arrangements were naturally turned to ex-Governor John A. Dix as the man who, as patriot, soldier, and statesman, was eminently fitted to per-

form that service. As President of the Association, I called upon General Dix, in company with the late Dr. E. P. Rogers, Vice-president, and laid before him the respectful and earnest invitation. We found him in feeble health—so feeble, indeed, that he was ready to decline our request. But the idea of improving the occasion for the good of the country filled his mind, and he promised to take it into consideration. A few days afterward he gave his consent, and immediately prepared that admirable, wise, able, and eloquent discourse which was afterward printed and widely read.

"The discourse was delivered, January 3, 1876, in the South Reformed Church, on the corner of the Fifth Avenue and Twenty-first Street. The house was crowded to its utmost capacity by an audience which included many of the most learned and excellent citizens, representing the Bench, the Bar, the Pulpit, and various walks of public and professional life. Very rarely is an assembly of such exalted character convened in this city. It was a beautiful testimony of respect to the venerable speaker, whose years and wisdom and public service were held in universal honor. He took his seat in the pulpit, supported on his right by ex-Governor E. D. Morgan, and on his left by ex-Governor John T. Hoffman. It was very natural for me to remark, while introducing the orator of the evening, that the sight was probably unprecedented of three Governors of the State of New York in one pulpit at the same time. Of the address itself I need not speak, as you have it in print. It was delivered with great clearness of utterance, earnestness of tone and manner, but with marked seriousness and deliberation. The sentences of patriotic wisdom, of sound statesmanship and public warning, especially where he denounced the corruptions of politics and municipal abuses, were heard with profound attention, and often commanded warm applause.

"At the close Governor Hoffman moved a vote of thanks, and supported it in a brief and eloquent address, affirming the great truths to which we had listened as the essential elements of national life and character. Governor Morgan seconded the motion, and, being urged to speak, said he was no orator; and if, after the eloquence of the evening, he should attempt to make a speech, he feared that General Dix would say, 'SHOOT HIM ON THE SPOT!' This allusion to the General's famous order brought down the house, and made a fitting *finale* to the evening's enjoyment.

"The Association has had many brilliant and instructive lectures on science and art, through a long series of years, but none of them left a more marked and enduring impression than the Centennial Discourse by General Dix.

"With great respect, I am, Reverend and dear Sir, very truly yours,

"S. IRENÆUS PRIME."

Another occasion deserving mention here was that of the Centennial Celebration, held at the Academy of Music in this city, July 4, 1876. I refer to it because my father was then honored by a demonstration of the affectionate interest of his fellow-citizens so remarkable as to compensate for certain injuries, not to be forgotten, though never remembered with malice. Having been chosen presiding officer on the occasion referred to, he made a brief address, as follows:

"One hundred years ago to-day, in our sister city of Philadelphia, a band of fearless men, at the peril of their lives and of all they held dear, set at defiance one of the most powerful nations of Europe, and proclaimed to the world that the American Colonies, which they represented, were free and independent States; assuming for them, to use their own language, among the powers of the earth, the separate and equal station to which Nature and Nature's God entitled them.

"The three millions in whose behalf the Declaration of Independence was made are now more than forty millions; and wherever patriotic hearts are to be found—whether in the crowded thoroughfares of cities and towns or in the quietude of rural habitations—they are overflowing with gratitude for our prosperity, our good name among the nations, our free institutions, our wide-spread domain, never again to be pressed by a servile foot, and our deliverance from the dangers through which we have passed; above all, the late fearful peril of disunion. You will hear from eloquent lips the story of our toils and our triumphs, and of the fulfilment of that memorable prophecy uttered a century and a half ago of the progress of the Star of Empire westward. But first let us listen to the Rev. Dr. Adams, and unite with him in acknowledging our thankfulness to Almighty God for our preservation during the hundred years that are past, and in fervent supplication for his continued favor and protection through the years that are to come."

These introductory words were followed by religious exercises appropriate to the occasion.

The leading feature in the programme for the day was an address by the Rev. Richard S. Storrs, D.D. His subject was, "*The Declaration of Independence, and the Effects of it.*" In point of brilliancy of language, eloquence, and masterly grasp of the subject it will always rank among the grandest performances of that very distinguished orator. The address, together with a full account of the Celebration, was printed by Messrs. A. D. F. Randolph & Co. Some time afterward I began the work of "illustrating" a copy, by the insertion of autograph letters, portraits, and views, and while so engaged I wrote to Dr. Storrs, requesting his autograph for my contemplated volume. The letter which he was so good as to send me in reply explains what I meant in speaking of the flattering compliment paid to my father on the occasion:

"No. 80 Pierrepont Street, Brooklyn, N. Y.,
September 20, 1876.

"MY DEAR DR. DIX,—I really wish, for once, that my autograph were either so handsome or so illegible as to be worth preserving! Perhaps you will think that my modesty underrates its claim to distinction on the latter ground, but to me it looks 'as plain as way to parish church.'

"There is one reminiscence, however, connected with the Address, which you design to illustrate, which may add value in this case to even so commonplace an autograph. When, in the Address, I said of the city of New York (page 63), 'its leaders of opinion to-day are the men—like him who presides in our assembly'—the applause burst out instantaneously, and was so prolonged that I could not proceed, but stood in silence for a full minute. As I started again to finish the sentence the applause was repeated, and baffled me anew. At last I said, 'I beg your pardon, ladies and gentlemen, but I am determined to finish this sentence if it takes an hour'—'whom virtue exalts and character crowns.' *Then* the applause was loudest, longest, and most enthusiastic.

"I remember to have thought at the time that your father must feel a certain proud and sweet pleasure in so signal a greeting from so large and brilliant an assembly. It was never surpassed by anything occurring

under my eye. I doubt not that his son will look indulgently on the autograph which has at least the virtue of preserving this striking incident. Ever, my dear Dr. Dix, with the highest regard, yours,

"R. S. STORRS."*

Passing to another subject, I present to the reader a copy of a letter addressed to President Hayes on the subject of Civil Service Reform. Independent of its intrinsic merit, it deserves attention for three reasons: first, as giving a brief *résumé* of his own efforts in the direction of such reform, twenty years before the recent agitation of the subject; secondly, as recording the mature convictions of a lifetime on the point discussed; and, thirdly, as showing his active and intelligent interest in public affairs, and the clearness of his mind, at the age of seventy-nine years:

"New York, May 8, 1877.

"*His Excellency Rutherford B. Hayes,*

"*President of the United States:*

"DEAR SIR,—Feeling, as I do, a deep interest in the success of your Administration, so auspiciously commenced, I trust you will not consider it unreasonable if I ask you to devote half an hour to the perusal and consideration of this paper in regard to the reform of political abuses—a subject on which I am thoroughly and earnestly in accord with you.

"Seventeen years ago (1860), as you will perceive, while Postmaster of this city—an appointment I accepted at the solicitation of President Buchanan, for the express purpose of reforming abuses, which had resulted in a defalcation of $150,000—I took the following grounds:

"I. That no useless employé would be retained.

"II. That members of Congress would have no more influence with me in appointments to office than any other citizens of equally respectable standing; and,

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* Dr. Storrs's letter, inlaid and mounted by the veteran Trent, forms the most precious item in the volume referred to. The sympathetic bibliomaniac (if any one of that fraternity should happen to see this page) will be glad to know that my copy contains three autograph letters—two from Dr. Storrs—twenty-one portraits, many of which are proofs, and nine views and emblematic devices; it is bound in crushed levant, red, with gilt edges, Roger Payne style, and is among the chief treasures of my library, for its associations with the happy past.

"III. That I would not allow the employés in my office to be assessed for political purposes, nor would I allow any committee to assess me, as a public officer, for such purposes.

"In accordance with my determination in these respects, my first act was to dismiss a Sachem of Tammany Hall, who had a lucrative sinecure position. As I was a member of that society myself, my action occasioned no little surprise.

"My second act was to dismiss a clerk, the nephew of a Senator of the United States, who was rendering a merely nominal service. Soon afterward I received a letter from the Senator, asking me to restore his relative to the place from which I had removed him; and his request was concurred in by five members of the House of Representatives, one of whom was afterward President of the United States. Their letter contained the remarkable avowal that the young man had been brought from a distant State, and appointed a clerk by my predecessor, for the purpose of enabling him to study law in the city of New York. I refused their request for the reasons set forth in the following letter:

"'Post-office, City of New York, June 21, 1860.

"'*Honorable* —— ——, *U. S. Senator:*

"'DEAR SIR,—About a week ago Mr. E. brought me a letter signed by yourself and several other gentlemen, whose wishes I should be most happy to meet, if I could do so with propriety. At Mr. E.'s request I gave the letter to him after reading it, in order that he might take a copy, expecting that the original would be promptly returned to me. It was not until to-day that I received it from him, and I hasten to reply to it.

"'It is due to you and the gentlemen who united with you in expressing the wish that Mr. E. should be restored, to state the circumstances under which his services were dispensed with, and the reasons which render his restoration impossible—reasons the sufficiency of which I am confident you will recognize and acknowledge. In accepting this office I was actuated by an earnest desire to carry out the wishes of the Administration in regard to supposed abuses, and a determination to correct them, so far as it should be in my power. I found them greater than I had anticipated. Among the most unwarrantable was the practice of quartering on the office gentlemen whose services were not needed. Mr. E. was one of these. He came to it one day in the week, copied a list of letters for a few hours only, and received $800 per annum, while some of his associates were working all day, the year round, for $700 and even $600. His services were useless, and they were discontinued the moment his case came under my notice. It is due to frankness to state that I was advised of the circumstances under which he was appointed; but I felt

assured, when you were informed of the facts, you would not fail to acquiesce in the propriety of the course I felt it incumbent on me to pursue. There were other cases like his, and I have acted with the same promptitude and impartiality in all. In more than one instance the gentlemen displaced were relatives of distinguished politicians, whose wishes I was most anxious to gratify; and I should have done so if it had been consistent with my duty to the Government. It is due to Mr. E. to say that there was no complaint in regard to him. He did all that the late Postmaster required of him. In discontinuing his services he understood that I acquitted him of all responsibility for the arrangement, so far as the public was concerned. The arrangement was in existence for more than a year; and you will readily understand that I could not restore Mr. E. to a place in this office, in which his former position is perfectly understood, without subjecting myself to imputations of partiality, which would go far to destroy the proper influence I desire to possess, and without which I could not well carry out the thorough reform in progress.

"'If the gentlemen who united with you in the letter in behalf of Mr. E. feel an interest in the matter, I beg you to make known to them the contents of this note; and I desire also to assure you and them of my great regret that I cannot provide for him, and of the perfect respect with which

"'I am, your and their obedient servant,

"'JOHN A. DIX.'

"The next attempt upon the office was by a member of Congress, who complained that I had, as he was informed, appointed a clerk from his district on the recommendation of other persons than himself, and not by his designation. The following letter shows in what manner this interference with my right of appointment was received:

"'Post-office, City of New York, August 6, 1860.

"'MY DEAR SIR,—I received your note of the 2d inst. three days ago, but have been too busy to reply to it. I do not like the tone in which it is written. It looks as though you supposed this office was to be administered as it was under my predecessor—for the benefit of individuals, and not of the public. You object to gentlemen in your Congressional district having the designation of appointments, as if it had been done already. I know no gentleman, in or out of your district, or any other district, that has had or is to have the designation of any appointment in this office. I intend to designate appointments myself, and to make them for the best good of the public service. If you recommend a man to me for an appointment in your district or out of it, your recommendation will be treated with the respect due to you, not only as a prominent citizen, but as one with whom my intercourse has always been of the most agreeable and friendly nature. If the man you

recommend is better qualified, in my opinion, than any other candidate, I shall appoint him. But if a better man is named by some other person, even though it be a person to whom I am entirely indifferent, I shall certainly deem it my duty to give his nominee the preference. I think any other principle of action would be unjust to the Government and discreditable to myself. I regard the practice which has grown up in some branches of the public service of appointing persons to employments for the purpose of aiding candidates for Congress, for the Common Council, and other official positions, as one of the grossest abuses under the Government; and I think the developments which have been made in regard to it have done quite as much as anything else to impair the confidence of the community in public men and to reduce the Democratic party to its present unhopeful condition. I do not know whether it is possible, in the present state of things, to carry out the opposite principle of administering office for the good of the public; but I intend to try it on a small scale. I fear the public mind is more indifferent to the practice referred to than it should be; but the time will come (though I may not live to see it) when the American people will rise up in mass and rebuke all this selfishness, by calling for men who have the disinterestedness, the independence, and the courage to do what they think right.

"'Now, my dear Sir, don't think that I intend to read you a lecture. I only wish, as the Yankees say, "to give you a piece of my mind"—not in unkindness, but in the frankness of the friendship with which

"'I am, sincerely yours, JOHN A. DIX.

"'Hon. —— ——.'"

"As the Presidential election of 1860 approached I was called on by several political committees to raise money for their use from the subordinates in my office. All these applications were peremptorily refused. The following letter was written in reply to the request of the Committee representing the Democratic party, and more especially the Tammany Society, of which I was a member:*

"'Post-office, City of New York, October 15, 1860.

"'*André Froment, Esq., Chairman of the Democratic General Committee:*

"'SIR,—I have received your letter soliciting a contribution from myself and the privilege of assessing the subordinates in my office, to raise funds in aid of the "Union ticket" and the coming Presidential election.

"'Before your letter was received I had engaged to contribute as large a sum as I can afford in aid of that ticket, and it is hardly necessary for me to add that I shall support it cordially by all efforts in my power.

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* This letter has already been given (vol. i., p. 330), but the continuity of the narrative at the present point requires its repetition.

"'In regard to an assessment on the subordinates in this office, I annex extracts from a letter written by me a few weeks ago, in reply to a similar application from another organization:

"'"I may say of a majority of them (the clerks in this office) that the assessments proposed to be made on them cannot be paid without pinching their families, who are entirely dependent on their salaries. I cannot consent to be the instrument of wringing from their necessities means indispensable to their daily wants. I think, moreover, that this system of assessing subordinates in public offices for political purposes, when they have for the most part no more than is sufficient to give their families the common necessaries of life, is all wrong. If men of means—lawyers, farmers, merchants, capitalists—whose property has so deep a stake in the maintenance of good government, will not consent to pay the legitimate expenses of our elections, we may as well abandon all hope of keeping up our organization by money."'

"'"Let me add that my contributions are made by me as a private citizen, and that I do not recognize the right of any committee to assess me, as a Federal officer, for political purposes."'

"'I must refer you to these extracts for an answer to your letter.

"'I deem it proper to add that I know nothing more degrading to our public offices, and those who fill them, than the practice which has existed of sending political tax-gatherers to the doors of the pay-room, to levy contributions on the clerks as they emerge with their hard-earned stipends. I cannot allow this office to be so dishonored. I intend, if I can, to restore it to the respectability which belonged to the earlier and better days of the Republic.

"'I shall be pleased to have my subordinates contribute voluntarily whatever they think they can afford to the support of the Democratic cause. But I cannot permit any forced contribution to be levied on them. On the contrary, I shall regard it as my duty to protect them from a system of political extortion disgraceful alike to the Government and the country. I am, Sir, very respectfully yours, JOHN A. DIX.'

"I regret to say that this attempt to reform abuses had no effect beyond the confines of my office. The war supervened, and questions of greater magnitude absorbed the public attention. The restoration of peace should have awakened the interest of the people in the subject; but the cry of reform was used only to give point to party resolutions, which never survived the canvass they were intended to influence, and which were not designed by the politicians who framed them to have a longer existence. I now rejoice in the hope, long-deferred, which I expressed in my letter of August 6, 1860, that the time has come when men have been called to power 'who have the disinterestedness, the independence, and the courage to do what they think right.'

"The administrative reform we require will not be complete until Federal officers are forbidden to take part in the management of political conventions and the manipulation of party canvasses. Their interference in elections has always been a source of local jealousy, and has had the effect of keeping many of our best citizens out of organizations in which they should have had a controlling influence. As a general rule the time of public officers will be fully occupied if they devote themselves assiduously to the discharge of their duties. They not only violate a principle by becoming political managers, but they often compromise injuriously the Administration which they represent by their ill-directed efforts and their partisan zeal.

"The virtual control of nominations to Federal offices by members of the Senate, which has, as I think, been most unwisely acquiesced in during the last few years, is one of the most demoralizing and dangerous of the abuses into which the administration has fallen. It is a manifest encroachment on the constitutional prerogative of the Executive; it degrades Senators from the exercise of their high functions, as legislators for the interest and welfare of the whole country, into manipulators of official patronage, and necessarily involves them in the scramble for local offices. The abuse attains its most serious form when the Senator exerts his influence in this respect, as he does in many cases, to procure appointments for his personal friends, to reward them for past and stimulate them for future efforts for the promotion of his own schemes of ambition. The Senate of the United States should rise above this low level of political and personal partisanship, alike incompatible with its dignity and elevation of character. Indeed, the composition of the body is in danger of being injuriously affected by this abuse of its functions. There are instances in which the control of Legislatures has been attempted for the purpose of electing to the Senate men who could be relied on to give a particular direction to local patronage.

"It was my opinion twenty years ago, and it is my opinion still, that, unless the administration of our political system can be freed from these demoralizing practices—tending, as they inevitably do, to grow more bold and reckless—the people will gradually lose their confidence in it, and be led to consider whether there is any remedy for them, except in some change in the form of the Government which will impair its representative character.

"Twenty years of continued reflection on this subject have only served to confirm the convictions I have expressed, and I trust they will be a sufficient apology for troubling you with this communication. I should not have addressed it to you but for the confidence I feel in your deter-

mination and your ability to carry into execution the reform the country so greatly needs and so earnestly desires.

"I am, dear Sir, respectfully and truly yours,

"JOHN A. DIX."

I have made mention more than once of my father's strong convictions on the question between Coin and Paper-money. Whenever that question came before the people for a vote on it he availed himself of the opportunity to express his views on "a topic in the presence of which"—as he once said—"all other national issues sink into insignificance." He used that language in a speech at a mass meeting in Brooklyn, not long before the political canvass of 1876. I cannot refrain from giving the reader the latter part of that address in full, for there is enough plain common-sense in it to purge the foolishness of a decade of inflationist haranguing. Nothing, indeed, is more refreshing, when one's ire has been stirred and his contempt provoked by the laborious sophisms of the advocate of an unlimited and practically irredeemable paper currency, than to read such words of truth and soberness as those which I am about to quote. In the former part of his speech he presented the issue then before the country as that of resuming specie payments on the one hand, and, on the other, of perpetuating the irredeemable paper policy; and he took occasion to arraign the Democratic party, to which he had belonged nearly all his life, for their departure from their old ground on that question, and their recreancy to their illustrious traditions. His remarks had a personal significance not to be mistaken; they constituted an explanation of the position of the speaker, showing that it was not so much he who had left his party as his party who had left him. He, a Democrat of the old school, had lived to find in the Democratic ranks in 1864 the leading opponents of the War for the Union, and in 1875 the leading antagonists to a return to specie payments. "The only declarations by public meetings, representing large masses against resumption and in favor of farther inflating the currency or continuing the present financial

policy, have come from Democrats. The public speakers who are now advocating resumption are, for the most part, Republicans; and those who are advocating the issue of irredeemable paper are, with few exceptions, Democrats. The Democracy of Ohio and the Democracy of Pennsylvania put themselves distinctly on the ground last referred to. The Republican party throughout the Union stands upon the platform of paper redeemable in specie and the honest payment of debt." Thus did he draw the line between the two; and, though he proceeded to speak in high terms of the expressed opinions of Governor Tilden, Horatio Seymour, and other leading men, in favor of paying the public debt in coin, and gladly admitted that the Democratic party in the State of New York had taken strong ground in favor of resumption, yet he showed how heavily they were handicapped by inflationists and greenbackers at the West and elsewhere, and expressed the fear that, in case of a general Democratic success at the polls, the evil influences within the party would soon gain the ascendent, and force it into the support of measures amounting practically to repudiation.

But, leaving these personal references, I proceed to that part of the address which, dealing with the question on the ground of common-sense and experience, can never lose its value. For, no doubt, while the world lasts, men will continue to talk arrant nonsense on this subject, and to deceive and be deceived; nor, "so long as the sun and moon endureth," will fools be made to see that it is not more impossible to influence the heavenly bodies in their orbits by statutes enacted in our Legislatures than to change, by such statutes, the immutable laws of finance and the relations of the precious metals to the business of the world. On these points the General thus discoursed:

"Among the misrepresentations under which the inflationists proclaim the advantages of an irredeemable paper currency, I know none so flagrant as the declaration that it is a benefit to the industrious classes, and that they would be ruined

by a resumption of specie payments. There is only one conceivable ground for such a declaration — that is, that the industry of the country would be disturbed and curtailed by reducing the volume of circulating paper. The obvious answer is, that the existing depression of business is mainly due to the redundancy of Government and bank paper, and to the speculation and over-trading it has caused. It is under this irredeemable paper policy, and chiefly through its influence, that workshops have been shut up, wages reduced, and laborers thrown out of employment; and if there is a lower depth which can be reached, it is only through an aggravation of the same evils by a farther inflation of the currency. But in what manner the laboring classes are likely to be injured by being paid in paper redeemable in gold or silver coin, instead of paper which cannot be so redeemed or converted, is a problem which the wildest inflationist has not, so far as I have noticed, attempted to solve. Look at this question as a practical one; bring it down to the test of your good-sense and the experience of your daily life. Let me give you an illustration. I hold in my right hand a gold half-eagle of our own coinage, of the intrinsic value of five dollars, and in my left hand I hold a greenback, on which are inscribed these words: 'The United States will pay to bearer five dollars.' Every one understands what it is that the Government promises to pay. The Government understood it when the promise was made. It is what is known all over Christendom and beyond as five dollars in gold or silver. Ask any one at the farthest verge of the commercial world, and he will give you the same answer as you will get everywhere within the pale of our own civilization. The five-dollar gold coin has no promise inscribed on it. It needs none. It is in itself a promise redeemed. The stamp of the Government which it bears guarantees that it is of a specific weight and fineness. It is precisely what the Government says on the paper note that it will pay. But is the Government promise redeemed? On the contrary, is it not notoriously and confessedly vio-

lated? Go to the United States Treasury at Washington, go to the Assistant Treasurer's office in Wall Street, present your paper note, and ask for the five dollars which the Government says it will pay to bearer. Do you think you will get them? You know you will not. Try the experiment wherever the Government has a fiscal agent, and the result will be the same. If your note is worn or defaced by use, you may, perhaps, get a fresher one, with the same promise on it—a new promise instead of an old one; and that is all you will get, and all the inflationists say you ever ought to get.

"The Government having failed to do for you what it promised, go to the money-dealers and see what you can do with them. Show your five-dollar bill to a gold broker, and ask him to give you five gold or silver dollars for it. If he demurs, show him the Government promise it bears on its face, and ask him if the Government is not good for the amount. If he thinks you in earnest, he will probably ask you, with a smile, whether you have, like Rip Van Winkle, been sleeping for the last fifteen years. He will tell you that the Government has suspended specie payments; that it has adopted a financial policy which has driven nearly all our gold and silver out of the country, which would not have left us a dollar if it had not been for the Custom-house; and that it has passed a Legal Tender Act which compels a man who has lent his neighbor gold to take his pay in paper, which nobody will take from him for what it promises. He will tell you that the Government, notwithstanding its promise to pay, does not pay, and that in consequence of this breach of faith its five-dollar bill is only worth four dollars and twenty cents; and that is all he will give you for it. What a practical comment is this on the credit of a great Government like ours!

"Let me say here, fellow-citizens, that I have not got up this comparison of gold and paper for the occasion, or for effect. I have carried this gold piece in my pocket-book ever since the Government suspended specie payments. I am not, and the Republican Party is not, in favor of an exclusive

metallic currency; but we are in favor of combining it with paper, which can be converted into it at the pleasure of the holder; and if this unjust and ruinous irredeemable paper policy is continued, I shall persevere in carrying about me a few gold and silver coins, as tokens of my loyalty to sound financial principles, and because I do not wish to forget how they look.

"But let me return to practical illustrations. If there is any man within the reach of my voice who is an immigrant from the Emerald Isle, I wish to say a word to him. If you have a brother, a sister, or a cousin whom you wish to bring out at your own expense to share with you the blessings of this land of freedom, go to James Brown, John J. Cisco, or any banker who deals in foreign exchange, and ask him how much you will have to give for a sight bill on London or Liverpool for £10 sterling—I believe that is a moderate allowance for the passage out and for necessary supplies. If you are to pay him in specie, he will tell you the bill will cost you $48 44; if you pay in greenbacks, it will cost you $56 14; and thus you will lose $7 70 by irredeemable paper. If you are from the country of Hermann, and the Great Frederick, and the Emperor William, and wish to go out to the father-land to see the relatives or friends whom you have left behind you, you will have to buy your bill for marks or thalers at a similar loss. If you are obliged to go abroad, or have transactions in other countries, and must have their money, you cannot buy it with our own, even with the Government promise to pay on its face, without submitting to a sacrifice to the amount of the depreciation of the latter. If you were to go to Europe with your pockets full of it, you could not travel a single mile into the interior unless you went on foot. If you attempted to exchange it for money current there, the money-dealers would shake their heads at you, as the fiscal agents of our Government would do here, if you were to ask them to give you the dollars it promises to pay. With the notes of the Bank of England you can travel all over the Continent.

So you could with the notes of the Bank of France before the Prussian war; and that institution is taking rapid steps toward resumption, while we are doing nothing. I have, on several occasions when I have been abroad, taken the notes of both those banks for my travelling expenses, knowing that I could anywhere convert them into coin. The notes of the Bank of England are received here by our banking and importing houses as the equivalent of specie. Is it not a dishonor and reproach to us that the paper of our Government is not, even among ourselves, on a par with the paper of those foreign money corporations? Let me impress on you the fact that our Government paper is not worth in Wall Street to-day as much by sixteen per cent. as the notes of the Bank of England. On the other hand, with our coin, like the half eagle, which I have shown you, you can travel all over Europe, and get its value from a money-changer in the obscurest town through which you pass, for, if he is not familiar with it, he can tell at once by weighing it what it is worth. Resume specie payments, let it be known that our paper is redeemable in gold or silver, and we shall give it the same currency in European houses, with which we are commercially connected, as the notes of the Bank of England have with us, and not be compelled, as we are now, to submit to a loss in all our foreign exchanges. As it is, nobody abroad will touch it. It is sixteen per cent. below par to-day, and it may be twenty or thirty to-morrow. Its fluctuations in value make it unfit for a circulating medium; and we only take it ourselves in payment of our debts because the Legal Tender Act compels us to do so.

"There is another effect of this condition of our currency, and the disturbance of our industry consequent upon it, which is deeply to be deplored. It has checked the current of immigration and discouraged hundreds of thousands from coming among us, thus depriving us of the labor which we need, and of the support they give to our republican institutions; for the vast majority are thoroughly imbued with the

spirit of freedom and devotion to the principles of self-government. In 1872 there arrived in New York over 290,000; in 1873, about 260,000; in 1874, only 140,000; and this year, judging by the last nine months, the number will fall below 90,000. I believe I speak within bounds when I say we have lost by our wretched financial policy more than 300,000 immigrants in the last three years. In another point of view it is a serious loss to us. In the last twenty-five years immigrants have brought with them more than $170,000,000 of gold and silver. I believe I am right, though I have not the statistical account with me. I stated in a recent correspondence with Reverdy Johnson, of Maryland, that we had produced from our own mines since 1850 over $1,400,000,000 of gold and silver, and that we had sent more than $1,300,000,000 of it out of the country. This is not all: we have by the same insensate and pernicious policy driven out nearly the whole amount brought to us by immigration.

"Let us now see how an irredeemable paper currency affects you in the transactions of your daily life. I suppose some of you among those who are doing me the favor of listening to me are laboring men, and that you are dependent on your daily labor for the subsistence of yourselves and families. You probably earn $2 a day. As you are paid in depreciated paper, you only receive, in fact, $1 68 a day. You lose, every day you work, thirty-two cents of the amount you get nominally, and for the six working-days of the week that comes to $1 92, which you lose every week by irredeemable paper-money. If you work all the year round, Sundays and holidays excepted, you lose $98 88—or in round numbers $100 a year—by irredeemable paper-money, which the inflationists tell you is the best currency in the world. In other words, if you were paid in gold and silver, or in paper redeemable in gold and silver, you would receive $100 a year more than you get now; and I appeal to you to say whether, with this addition to your wages, you could not increase very sensibly the comfort of your families.

"If the statements and calculations I have made are just—and I do not believe that any sophistry can obscure my reasonings, or any ciphering affect my figures—what is the true interest of the industrious classes? I pass over all the higher considerations, which address themselves to us as honest men, in favor of maintaining unbroken the plighted faith of the country and of preserving untainted the public honor, which has given us an enviable standing throughout the civilized world. I present the question to you simply in its bearing on your personal welfare, your domestic comfort, and your ability to provide for the wants of your families. Can any one doubt that, in all these respects, your interest is that the Government and the banks shall put themselves in condition to give you real money, whenever you require it, for their circulating paper to the full amount which it promises to pay? that you should not be compelled to take, in payment of your wages, paper, on every dollar of which you lose sixteen cents? This is what is meant by the resumption of specie payments—to protect you from loss, to give us a stable currency, and to discharge in good faith our public obligations.

"If you are satisfied that I am right, call on the Government and the banks to fulfil their promises. If you are disposed to strike for higher wages, strike for hard money, and that will give you higher wages. Agitate in all legitimate modes for a currency which is equivalent to specie, as a substitute for the depreciated paper on which you now lose every day one-sixth part of all you earn. Have an eye on your members of Congress, for it is through their culpable failure to pass proper laws that the Government does not fulfil its obligations, and that a Legal Tender Act—which robs you of a large portion of your earnings, and which has no justification except as a war measure—has been continued in force through ten years of profound peace. Hold them to their responsibility as your representatives, and see that they take early steps toward the resumption of specie payments, which the Government is solemnly pledged to accomplish in 1879. Do this,

and be assured that, while you are promoting your own true interest and the prosperity of the country, you will be contributing to maintain the honor and good faith of the Government, which are above all price."

At the risk of fatiguing the reader, but in order to complete the record of my father's convictions on the subject of national financial policy, and also by way of a fitting conclusion to all that has been said under that head, I give, in full, his letter to the Hon. Reverdy Johnson on the Legal Tender Act. He would, probably, have been willing to let it stand as his last word to his countrymen on a question involving their honor and security, and—to use his own forcible phrase —"their reputation before the civilized world:"

"Scafield, West Hampton, N. Y., September 10, 1875.

"MY DEAR SIR,—I had read with great pleasure your admirable letter on the 'Currency' to the editor of the *Tribune* before I received your favor enclosing it. Your views and reasonings appear to me to be unanswerable. If you have not exhausted the argument, you have left little to be said in its support.

"Mr. Chase, my successor in office in the Treasury Department in 1861, did me the honor to consult me in regard to the financial measures which he proposed to recommend to Congress to meet the exigencies of the war. I objected in the strongest terms to the Legal Tender Act, as unwarranted by the Constitution, and especially to its application to existing contracts between individuals, as an act of gross tyranny and in violation of the rights of property, which it is one of the first duties of Government to protect. My opinion is unchanged. Besides, I did not think that measure necessary to the successful prosecution of the war. I believed that if, in every act of Congress authorizing a loan, a provision was inserted laying a tax to pay the interest, we could borrow all the money we needed; and I am satisfied now that we should, in that case, have contracted from five hundred to a thousand millions less of debt. I agree with you in regard to the reversal of the decision of the Supreme Court of the United States, pronouncing the Legal Tender Act unauthorized by the Constitution; and I regret it the more, as it appears to me to be an error calculated to impair public confidence in the justice as well as the stability of the judgments of that tribunal. That act virtually declared that a man who had lent his neighbor gold should take

paper, irredeemable in specie, in payment of his debt—a proposition abhorrent to every principle of justice and to every conception of a government of limited powers. You say, 'It is by no means certain that the judgment in the case (in 12 Wallace) will not be reversed,' and the act again declared unconstitutional. You and I may not live to see it; but I am greatly mistaken if that will not be the result when the present infatuation in regard to the issue of paper-money, irredeemable in specie, shall be corrected by the intelligence and integrity of the people, or when the inflationists—if they succeed in accomplishing their objects—shall bring bankruptcy and disgrace on the Government, and involve the industrial interests of the country in irremediable disaster.

"I expressed, in my official papers as Governor of the State of New York, my disapproval in such unmeasured language of the continuance of the Legal Tender Act in force during ten years of peace—an act no man attempts to defend except as a war measure—that I need not say how deeply I deplore the failure of Congress to repeal it. We are setting an example of injustice and bad faith which would warrant any abuse of the powers of Government. I look with great anxiety to the result of the pending contest between the advocates of redeemable and irredeemable paper-money. It is, beyond all question, the most important issue to be tried by the people at the next election of a President; and if the principles proclaimed by the Democratic party in Ohio prevail, I can see nothing in prospective but disaster and disgrace.

"There are two assumptions in the argument in favor of an irredeemable paper currency and of an enlargement of its volume, the fallacy of which is demonstrated by the most superficial acquaintance with statistical facts:

"1. That we have not currency enough to transact the business of the country; and,

"2. That the business of the world has so enormously increased that it cannot be transacted on a specie basis.

"To the first of these assumptions it is a sufficient answer that money is loaned on call every day in the city of New York at two to three per cent. per annum, and for definite periods of time at half, or little more than half, the legal rate established for the State. I have very recently borrowed for an institution with which I am connected $50,000 at four per cent. per annum, for periods varying from three to nine months. There has been at no period since the war so great a superabundance of paper-money as there is at the present moment. I believe it perfectly safe to assert that there are two hundred millions of Government and bank paper in circulation which cannot find employment in the legitimate channels of business—which cannot even be profitably used for

speculating purposes, and which are, therefore, loaned at rates of interest low beyond all example in the United States.

"The second of these assumptions proceeds upon a total disregard of two well-known facts: first, that a vast increase of business may be transacted by means of bills of exchange and other commercial facilities with very little enlargement of the paper circulation or the basis of specie by which it is supported; and, second, that the abundant production of the precious metals during the last hundred years has not only greatly diminished their purchasing power, but has so exceeded the demand for them as a circulating medium as to furnish a large surplus for ornamental purposes and domestic use. In the United States alone during the last twenty-five years we have produced, as nearly as can be ascertained, over $1,467,000,000 in gold and silver. During the same period we have exported of our coin and bullion over $1,328,000,000—at least four times as much as is needed to sustain the whole paper currency of the country, even in its present inflated condition. During the years 1871, 1872, and 1873 the average annual product of our gold and silver mines amounted to $66,000,000. At the same rate we shall produce enough in the next three years to warrant, if kept at home, a resumption of specie payments in 1879, and preserve the plighted faith of the Government from violation.

"In the face of these facts it is difficult to conceive how any man having a respect for his good name should oppose a resumption of specie payments on the alleged ground of a deficiency of the precious metals.

"The contest before us is to be a severe one, and we should not underestimate the hostile force we shall have to encounter. It will embrace—

"1. Professional politicians, who think the cry of 'more money' a popular one, and whose advocacy of public measures is usually shaped by this narrow and selfish consideration.

"2. Manufacturers, for the purpose of keeping up the price of gold, or rather depressing the value of paper-money by adding to its volume, and thereby securing a virtual increase of the impost on foreign products which come in competition with their own, thus accomplishing all the ends of a higher tariff of duties on imports.

"3. A class of theorists who do not scruple to set up their crude opinions against those of the most intelligent statesmen and the most able and profound political economists of the age, and who, regardless of all the experience of mankind, hold an inflated and irredeemable paper currency to be an element of prosperity, when every community which has tested it has found it a source of individual ruin and national disgrace.

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established, that the false step which the inflationists are urging us to take would be far more likely to be ascribed to a want of integrity than to a want of knowledge.

"I am, dear Sir, very truly yours, JOHN A. DIX.

"HON. REVERDY JOHNSON."

And now let us modulate into another key and turn to more pleasant paths. There are things, perhaps, in this memoir which might have been omitted without essentially marring its completeness; but this at least is true, that no account of my father would have been correct which failed to lay stress on his tastes as a literary man and his attainments as a student of *belles-lettres* and the languages. In England there is a class of statesmen scarcely less noted for thorough scholarship than for familiarity with public affairs; it includes such persons, for example, as Sir Roundell Palmer, Sir John Taylor Coleridge, the late Lord Beaconsfield, and Mr. Gladstone. American politicians do not often exhibit that combination of high culture and skill in state-craft, though there are notable exceptions to the rule. General Dix was one of those exceptions; his attainments were great, his accomplishments numerous and varied; the labors of his public career were lightened by application to the pursuits of the scholar, and in one department at least he had attained a respectable place among literary men long before his death.

The foundations of his knowledge of foreign languages and literature were laid, as has been seen, during his boyhood, at Salisbury, Exeter, and Montreal: on these he reared a superstructure worthy of all praise. Of his mastery of the French tongue I have already given one striking proof; to this let me add another. A French gentleman, of scholarly tastes and some culture in the English poets, having undertaken to translate the "Deserted Village," submitted his work to the General for criticism. The lines

"Those gentle hours that plenty bade to bloom,
Those calm desires that asked but little room,"

he had rendered thus:

"Ces entretiens du soir, offerts à la jeunesse,
Ces souhaits innocents accomplis sans richesse."

The General proposed the following as a substitute:

"Ces heures paisibles, prémices de l'abondance,
Ces calmes souhaits bornés par l'innocence."

In acknowledging and adopting the amendment the author of the version expressed himself in these terms:

"I am thankful to you for the comparison you had the kindness to make, and for the new light cast upon the better manner of translating the two following verses, viz.:

'Those gentle hours that plenty bade to bloom,
Those calm desires that asked but little room.'

"Your two verses are indeed superior, and have more strength than in my publication. And they show your thorough French scholarship and refined, poetical tastes. It is seldom that a translator can gather from the various criticisms of the cultured minds such a generous advice and useful suggestions as you vouchsafed to me in these two fine verses."

His knowledge of the Spanish language was ample for ordinary purposes; while he was sufficiently familiar with the Portuguese and Italian to enjoy the writings of Camoens, Tasso, Alfieri, and Dante, without aid from a translation. But his greatest pleasure was derived from the study of the classical authors of Rome, and the Latin Fathers of the Church; and as a Latinist he had few superiors beyond the circle of those with whom the study of that tongue is a professional pursuit. He always carried about with him a volume or two of his favorite writers, and by degrees his acquaintance with them became exact. Two complete sets of Latin authors, those of Valpy and Lemaire, were included in his classical library. Having occasion one day to refer to Bohn's "Dictionary of Classical Quotations," he found an

error in the passage to which he had turned. The discovery led to a careful examination, and finally to a thorough revision of the volume. The copy of the dictionary referred to is a literary curiosity; there is hardly a page without some alteration and correction in his handwriting.

Among the diversions of his leisure hours was that of making translations from his favorite authors; of these I shall say something, beginning with the most important, the version of the *Dies Iræ*.

The reader will remember the time and place at which it was made—in the year 1863, and while General Dix was in command of the Seventh Army Corps, at Fortress Monroe. The following letter shows that he was not satisfied with his work, and that he subsequently revised it:

"New York, October 7, 1875.

"MY DEAR SIR,—I hasten, in pursuance of the request contained in the letter my son received from you this morning, to send you a copy of my translation of *Dies Iræ;* and I add, of my own motion, my translation of *Stabat Mater*. They were both privately printed, as you will perceive, but found their way into Judge Nott's 'Seven Hymns of the Mediæval Church,' and other kindred publications.

"The first translation was made during our civil war, while I was in command of the Department of Virginia, and when I had many weighty matters to divert my time and thoughts from literary occupation. Although it had been much commended, I was never satisfied with it, and a few months ago I printed privately, and now send you, a revised rendering of the immortal hymn. The translation of *Stabat Mater* was made while I was Minister to France. It was more leisurely prepared, and I see no reason to correct it, though I cannot say that it is what I should wish it to be.

"The stanza of the former quoted by Bayard Taylor is as follows:

'Day of vengeance without morrow,
Earth shall end in flame and sorrow,
As from saint and seer we borrow.'

It is this stanza (the first) which has always proved most troublesome to translators, and it is the one with which I was dissatisfied more than with any other in my translation when I allowed it to go to the press.

My dissatisfaction was greatly increased a few years later on finding in one of Thackeray's novels—I do not at this moment recollect which—a passage somewhat like this: 'When a man is cudgelling his brains to find any other rhymes for "sorrow" than "borrow" and "morrow," he is nearer the end of his woes than he imagines.' I felt instinctively that any one familiar with this passage would, on reading my translation, be conscious, at the very commencement, of a sense of the ludicrous altogether incompatible with the solemnity of the subject. I therefore resolved, at my earliest leisure, to attempt the production of an improved version of the first stanza; and in doing so I remodelled several others, to make them conform more nearly to the original.

"Independently of the foregoing objection, it was not quite orthodox to style King David a saint, though he was in his latter days a model of true penitence. Besides, I believe there is a Saint David in the calendar, and there is danger of confounding them. In the new version I have succeeded in preserving the David and Sibyl of the original, *iis nominibus*, instead of rendering them by the terms Saint and Seer. How successful I have been in the change I have made in the first two lines of the stanza I am at a loss to determine. I can only say that, after an elaborate effort, it was the best I could do.

"With a pleasant remembrance of our association in Albany, I am, dear Sir, very truly yours, JOHN A. DIX.

"N. C. MOAK, Esq."

The revised version was published in *Scribner's Monthly*, April, 1876, with this letter and some additional memoranda; it was also privately printed, as the original version had been, at the Riverside Press. There are, therefore, two privately printed editions — that of 1863, and that of 1875 — both of which are in my library.

The interest awakened by this performance is shown by the following letters, all of which refer to the first edition.*

Mr. George T. Curtis, in a letter addressed to General Dix, January 29, 1864, quotes Mr. George Ticknor, as follows:

"Some time since I borrowed from a friend a copy of the marvellous translation of *Dies Iræ* privately printed at Cam-

* The version given (vol. ii. pp. 54, 55) is the revised one. The original will be found in the Appendix, No. XIV. It seems to me, in some particulars, the finer of the two.

bridge, as it is well known, by permission of General Dix, who made it at Fortress Monroe last summer. There are few things of the kind in the English language to compare with it, in my judgment, and so I have been sorely tempted to hold on, by fraud, or begging, or other unsavory modes, to my possession of the borrowed copy; because, until your letter came, I could see no possible way of getting another. But now by what you tell me of the General and his son-in-law you relieve me; for I think that you can, somehow or other, get me a copy in a reputable way. I knew Mr. Blake a little when he was here, and should have sought to know more, if he could have made up his mind to stay here in our poor little village—a remark I make without intending any disparagement to him or to you, who have done the same thing, or to the little village, where I was born, and hope to die, grateful at my lot."

Upon receiving a copy Mr. Ticknor wrote to the General as follows:

"Boston, February 24, 1864.

"*To Major-general Dix, U. S. A.:*

"SIR,—It was not without a feeling of embarrassment that I asked my friend Mr. Curtis to obtain for me a copy of your privately printed, marvellous translation of the *Dies Iræ*. Nor is it without a similar feeling that I now ask you to accept from me a copy of the Life of my friend Prescott, which I published a few weeks since. You will, therefore, allow me to beg you not to look on it as an attempt to make an exchange with you; for, if such were my purpose, I should feel obliged to pray Jupiter that he would make you willing to take copper for gold, as in the memorable case of Diomedes and Glaucus. What I send is only the acknowledgment of a debt which I do not pretend to pay, but for which I wish to express as well as I can my sense of obligation.

"With much consideration and sincere thanks,

"Yours, very truly, GEO. TICKNOR."

Here is a letter from Brantz Mayer on the same subject:

"Baltimore, October 3, 1863.

"MY DEAR SIR,—I received the two copies of the *Dies Iræ* which you were so kind as to enclose for me. The copy intended for Mr. Rogers I sent to him at once.

"Let me thank you promptly for your gift of the admirable version you have made of the great Middle Age canticle. I have read many translations, but I recollect none which gave so completely the poetic *verve*—the '*dichtergeist*'—of the original, as well as its musical rhythm and literal rendering. Translations are generally only plaster casts of statues; allow me to congratulate you on having made a fac-simile in our native marble.

"Sincerely, your obliged and obedient servant,

"BRANTZ MAYER.

"General DIX."

From the great number of letters on this subject in my possession, written by clergymen and laymen of high distinction in the field of scholarship and authorship, I shall select only three more in addition to those already given. The names of the correspondents appear to justify the insertion of their commendatory words:

"Cedarcroft, Kennett Square, Pa., September 6, 1864.

"MY DEAR SIR,—I have just received by mail, from Mr. Stoddard, the copy of your *Dies Iræ*, which I shall value all the more since I owe it to your kindness.

"I have always had a special admiration for the majestic poem, and have heretofore sought in vain to find an adequate translation. Those which reproduced the spirit neglected the form, and *vice versa*. There can be no higher praise for yours than to say that it preserves both. It has always been an article of my literary creed that the rhythmical character of a poem is a part of its life, and must be retained, to its nicest cadence, by the translator. I, therefore, greatly prefer your rendering of the *Dies Iræ* to any other which I have yet seen.

"With sincere thanks, not only for the personal gift, but for the performance itself, I am, with the greatest respect, very truly yours,

"BAYARD TAYLOR.

"Major-general DIX."

"No. 12 Harley Street, London, W., October 14, 1864.

"DEAR MR. VESEY,—Pray accept my excuse for this late acknowedgment on my part of the safe receipt of General Dix's kind present to me. I have been for some time absent from London, and I have had no earlier opportunity of writing to you than this.

"I am unwilling to trouble General Dix with a letter at a time which must be a very busy and a very anxious time to him, in his public posi-

tion. When you next write will you kindly thank him, in my name, for adding another to the many obligations which I owe to my American readers. The manner in which the great difficulty of making the translation has been met shows, I think, a very rare knowledge of the resources of the English language. I have read the work with a double interest—an interest roused by its own merits, and an interest almost greater in considering the circumstances under which it has been undertaken and accomplished. The instances are few indeed—in any nation and at any time—of men in General Dix's position, who can bear the heavy burden of their duty to the public without dropping the responsibility of their duty to themselves, and who can be resolutely true to all that they have learnt and thought in the happier time of peace, amid the most terrible of all national convulsions—the convulsion of civil war. I venture to think that the brightest prospect for the future of America lies in the national capacity to discover, and to raise to offices of high public trust, such men as these. You have them in your great country—and may more and more of them be found!

"Believe me, dear Mr. Vesey, very truly yours,

"WILKIE COLLINS.

"To W. H. VESEY, Esq., Consul U. S. A., etc.

"P. S.—If you are ever in London I need hardly say that I shall be very glad to see you. I am about to move from my present address, but you will always hear of me at my publishers, Messrs. Smith & Elder, 65 Cornhill. Since I had the pleasure of seeing you I have got sufficiently the better of my rheumatic and gouty infirmities to get to work again on a new book promised long since to the *Cornhill Magazine*. The first monthly part of the story will appear in the number for November next."

"Boston, October 23, 1863.

"*Major-general Dix:*

"MY DEAR GENERAL,—More than half a century has passed since you and I shouldered our muskets—that is, if you had attained the fifty-four inches of height required for that campaigning—I scarcely had—to face together the stalwart foe of July heat and dust, under the banner of the Washington Corps, with its blazoning of *Tam Marti quam Mercurio*. I rejoice to know that your allegiance to the God of War has not made you a deserter from the standard of the divinity of Language and the Lyre. I am very thankful to you for the little volume you so kindly left for me. I prize it at a high rate, and have already read it with great enjoyment. *Me judice*, the rendering is exceedingly true, strong, graceful, and in all points felicitous.

"Fifty-two years, dear General!—crowded years in which, in the vari-

ous activities of council and field, you have grandly illustrated your genius and your education. I congratulate you from my heart on the honors and the fruits of every one of them. *Haud equidem invideo, miror magis.* Busy years for your old school-fellow, too, if the honors and the fruitage have not been his. We cannot expect to see many more scores of them, whether illustrious or barren.

"I was repeatedly disappointed of seeing you while you were about Boston. When you were not at work the civic fathers monopolized you so that no sight of you was to be had. I almost ventured to break in upon you once at dinner, when there was nothing but a thin partition to keep me from a grasp of your hand. But I had heard something of the formidableness of a hungry soldier, and forbore. I thank you for the honor of your visit to my shop this morning. You had scarcely left it when I came in. To-night I learn, at your recent quarters, that you are on the march.

"With cordial wishes for your success, honor, usefulness, health, and happiness, I pray you to allow me to subscribe myself,

"Ever, dear General, faithfully your friend,

"JOHN G. PALFREY."

My father's reply is characteristic:

"New York, October 28, 1863.

"MY DEAR SIR,—If anything had been required to revive my recollection of our association in days long past, your letter would have sufficed. But all the incidents they brought with them are as fresh as ever in my memory. I remember your first appearance on the Exeter Academy stage—the very gesture with which you described the cave, 'formed by no mortal hand' (you showed how it was done), in which the hermit lived. I remember also the dismay of the Academic staff when I commenced the description of the Siege of Troy in words little calculated, like those of the Æneid, to renew grief.*

"The intervening half-century has indeed been one of toil for us both. But you exaggerate the fruits of mine, and disparage those of your own unjustly. I have been more conspicuous in the political world, from the more active participation I have had in its movements. But in the world of letters—in which, of all other spheres of labor, I should have chosen to be distinguished—how enviable is your position! You may truly say,

'Non omnis moriar.'

"But what can I leave behind me to be remembered? A few speeches

* See Vol. I., p. 33.

in the Senate—chiefly on subjects which have had their day, and are even now almost forgotten—and a savage order, justified by a still more savage provocation. That is all. These are things that pass away with their author. But your history of New England will be read in future centuries—I cannot say

'. . . . . dum Capitolium
Scandet cum tacita virgine pontifex;'

but I may say until

'. . . . . tacent exhausti solibus amnes.'

"Your warm approval of my translation of the *Dies Iræ* has, for the first time, made me vain of it.

"I regret exceedingly not seeing you, and I am very much disappointed that you did not break in on the Tremont refectory while I was replenishing. Please to remember, the next time 'the formidableness of a hungry soldier' occurs to you, that there is (according to Hudibras) another class of combatants, 'who have no stomachs but for fight.' I remember the warning of Phœbus to Phaëton, and try to keep in the middle. I shall look to you, therefore, should you catch me banqueting again, for a friendly interruption. Cordially reciprocating all your good wishes,

"With sincere regard, I am, your friend,

"JOHN A. DIX."

I conclude with a letter from Archbishop Hughes:

"Secretary's Office, 263 Mulberry Street,
New York, December 16, 1863.

"*Major-general John A. Dix:*

"SIR,—The Most Reverend Archbishop bids me acknowledge, with thanks, the receipt of your note of the 10th instant, and of the accompanying translation of the *Dies Iræ*.

"He has examined the result of your labors with care, and he begs to assure you that he has been much pleased as well as edified by the perusal of it.

"His Grace cannot but congratulate you that, amidst the many and serious duties of your high and responsible military position, you have found time and leisure to busy yourself with a work of the nature of the one in which you have been so successfully engaged.

"I have the honor to be, General,

"With great respect, your obedient servant,

"TH. M'NIERNY, Secretary."

The version of the *Dies Iræ* was followed by one of the *Stabat Mater*, made in 1868:

"STABAT MATER.

1.

Near the Cross the Saviour bearing
Stood the Mother lone, despairing,
  Bitter tears down falling fast.
Wearied was her heart with grieving,
Worn her breast with sorrow heaving:
  Through her soul the sword had passed.

2.

Ah! how sad and broken-hearted
Was that blessed Mother, parted
  From the God-begotten One!
How her loving heart did languish
When she saw the mortal anguish
  Which o'erwhelmed her peerless Son!

3.

Who could witness without weeping
Such a flood of sorrow sweeping
  O'er the stricken Mother's breast?
Who contemplate without being
Moved to kindred grief by seeing
  Son and Mother thus oppressed?

4.

For our sins she saw him bending,
And the cruel lash descending
  On his body stripped and bare;
Saw her own dear Jesus dying,
Heard his spirit's last outcrying
  Sharp with anguish and despair.

5.

Gentle Mother, love's pure fountain!
Cast, O cast on me the mountain
  Of thy grief, that I may weep;
Let my heart with ardor burning,
Christ's unbounded love returning,
  His rich favor win and keep.

'STABAT MATER.

I.

Stabat Mater dolorosa,
Juxta crucem lacrymosa,
  Dum pendebat filius.
Cujus animam gementem,
Contristatam et dolentem,
  Pertransivit gladius.

II.

O quam tristis et afflicta,
Fuit illa benedicta
  Mater Unigeniti!
Quæ mœrebat et dolebat
Pia mater, dum videbat
  Nati pœnas inclyti.

III.

Quis est homo qui non fieret,
Christi matrem si videret
  In tanto supplicio?
Quis posset non contristari
Piam matrem contemplari
  Dolentem cum Filio.

IV.

Pro peccatis suæ gentis,
Vidit Jesum in tormentis,
  Et flagellis subditum.
Vidit suum dulcem natum
Morientem, desolatum,
  Dum emisit spiritum.

V.

Pia mater, fons amoris,
Me sentire vim doloris,
  Fac, ut tecum lugeam.
Fac ut ardeat cor meum,
In amando Christum Deum
  Ut illi complaceam.

6.

Holy Mother, be thy study
Christ's dear image scarred and bloody
To enshrine within my heart!
Martyred Son! whose grace has set me
Free from endless death, O let me
Of thy sufferings bear a part.

7.

Mother, let our tears commingle,
Be the crucifix my single
Sign of sorrow while I live:
Let me by the Cross stand near thee,
There to see thee, there to hear thee—
For each sigh a sigh to give.

8.

Purest of the Virgins! turn not
Thy displeasure on me—spurn not
My desire to weep with thee.
Let me live Christ's passion sharing,
All his wounds and sorrows bearing
In my tearful memory.

9.

Be, ye wounds, my tribulation!
Be, thou Cross, my inspiration!
Mark, O blood, my Heavenward way.
Thus to fervor rapt, O tender
Virgin, be thou my defender
In the dreadful Judgment-day.

10.

With the Cross my faith I'll cherish;
By Christ's death sustained I'll perish,
Through his grace again to rise.
Come then, Death, this body sealing,
To my ransomed soul revealing
Glorious days in Paradise.

VI.

Sancta mater, istud agas,
Crucifixi fige plagas
Cordi meo valide.
Tui Nati vulnerati,
Tam dignati pro me pati
Pœnas mecum divide.

VII.

Fac me vere tecum flere,
Crucifixo condolere,
Donec ego vixero:
Juxta crucem tecum stare,
Et tibi me sociare
In planctu desidero.

VIII.

Virgo virginum præclara,
Mihi jam non sis amara,
Fac me tecum plangere.
Fac ut portem Christi mortem,
Passionis fac consortem
Et plagas recolere.

IX.

Fac me plagis vulnerari,
Fac me cruce inebriari,
Et cruore filii.
Inflammatus et accensus,
Per te, Virgo, sim defensus,
In die judicii.

X.

Fac me cruce custodiri,
Morte Christi præmuneri,
Confoveri gratia.
Quando corpus morietur,
Fac ut animæ donetur
Paradisi gloria.'"

Of my father's very numerous translations from the Latin classical authors one or two shall next be given, by way of specimen. They may, perhaps, hereafter be collected and published. The first, from Martial, was printed in January, 1878:

"TO JULIUS MARTIAL.

MART. X. 47.

These, dearest Martial, make the happier life:
Wealth by descent, not earned by toil or strife;
A fertile field; a larder never lean;
No suits; few clients; and a mind serene;
Strength not excessive, yet a healthful frame;
A thoughtful candor; friends of equal name;
Frank intercourse; inartificial fare;
Nights given to temperance and free from care;
A wife not sombre, yet discreet and staid;
Sleep which abbreviates the encircling shade;
To wish yourself unchanged in any way;
Neither to court nor dread the final day."

"AD JULIUM MARTIALEM.

MART. X. 47.

Vitam quæ faciunt beatiorem,
Jucundissime Martialis, hæc sunt;
Res non parta labore, sed relicta;
Non ingratus ager; focus perennis;
Lis nunquam; toga rara; mens quieta;
Vires ingenuæ; salubre corpus;
Prudens simplicitas; pares amici;
Convictus facilis; sine arte mensa;
Nox non ebria, sed soluta curis;
Non tristis torus, et tamen pudicus;
Somnus, qui faciat breves tenebras;
Quod sis, esse velis, nihil que malis;
Summum nec metuas diem, nec optes."

His translation of Claudian's "Old Man of Verona" was published in *Scribner's Monthly* for March, 1877. It was preceded by a brief historical sketch of the poet, with some remarks on the study of the classical writers:

"THE OLD MAN WHO NEVER LEFT THE SUBURB OF VERONA.

CLAUD. LII.

Happy is he who in paternal fields,
And in the self-same house, his life has passed;
Whose sturdy hand, where once he crept, now wields
The staff of age: one home, his first and last.
No fickle Fortune drags him in her train,
He drains no unknown cup in foreign lands;
Nor war, nor commerce, gives him fear or pain;
He never in the brawling forum stands.
To business and to neighboring towns unknown,
He breathes the freer air as 'twere his own;
By crops, and not by Consuls, marks the year—
The spring by flowers, by fruits the autumn sere.
The same field greets the risen and setting sun;
Within its sphere his daily course is run.
He saw the lofty oak spring from the mould;
He sees the grove, with him once young, grown old.
Far as dark Ind he near Verona deems,
Like the Red Sea the Lake Benacus seems.

In limb and vigor firm he moves along,
At threescore years and ten, robust and strong.
Let others far Iberia's ways unravel—

He will have more of life, they more of travel.

'DE SENE VERONENSI, QUI SUBURBIUM NUNQUAM EGRESSUS EST.

CLAUD. LII.

Felix qui patriis ævum transegit in agris;
Ipsa domus puerum quem videt, ipsa senem;
Qui baculo nitens, in qua reptavit arena,
Unius numeret sæcula longa caso.
Illum non vario traxit fortuna tumultu,
Nec bibit ignotas mobilis hospes aquas:
Non freta mercator tremuit, non classica miles;
Non rauci lites pertulit ille fori.
Indocilis rerum, vicinæ nescius urbis,
Adspectu fruitur liberiore poli.
Frugibus alternis, non Consule, computat annum;
Autumnum pomis, ver sibi flore notat.
Idem condit ager soles, idemque reducit,
Metiturque suo rusticus orbe diem.
Ingentem meminit parvo qui germine quercum,
Æquævumque videt consenuisse nemus. [Indis
Proxima cui nigris Verona remotior
Benacumque putat litora rubra lacum. [lacertis
Sed tamen indomitæ vires, firmisque
Ætas robustum tertia cernit avum.
Erret et extremos alter scrutetur Iberos:
Plus habet hic vitæ, plus habet ille viæ.'"

To the preceding I add the following, which, I think, are now for the first time published:

"MODESTINUS, OF LOVE.

Young Cupid, overcome with sleep, was lying
On flowers of myrtle and on dewy grasses,
While, fresh from Hades, souls of victimed lasses [ing:
Around him hovered, all for vengeance cry-
'Behold our foe,' said Phædra; 'let us bind him;'
'Cut off,' fierce Scylla, 'those fair locks behind him.'
Colchis and lonely Progne, 'Let him suffer death;'
'The sword!' said Canace and Dido in a breath;
Evadne, 'Let us burn him in the fire;'
Myrrha, 'My boughs shall light his funeral pyre;'
Byblis and Arethusa, 'Drown him in a fount.'
Cupid, awaking, cried, 'Wings, let us mount.'

'MODESTINI, DE AMORE.

Forte jacebat Amor victus puer alite somno, [herba.
Myrti inter frutices, pallentis roris in
Hunc procul emissæ tenebrosa Ditis ab aula, [cruciarat;
Circumeunt animæ sacra face quas
"Ecce meus venator," ait, "hunc" Phædra "ligemus;"
Crudelis "Crinem," clamabat Scylla, "metamus;"
Colchis et orba Progne, numerosa cæde, "necemus;"
Dido et Canace, "Sævo gladio perimamus;"
Myrrha, "Meis ramis," Evadne, "Igne crememus;"
"Hunc," Arethusa, "in aquis," Byblis, "In fonte necemus;"
Ast Amor evigilans, dicit, "Mea penna, volemus."'

"AT MY BROTHER'S GRAVE.

CATUL. CI.

Through many lands, o'er many waters borne,
I come, loved brother, to thy tomb to mourn;
To greet thee as my last sad vows are paid,
And hold vain converse with thy silent shade. [borne,
Ah! hapless brother, by the Fates o'er-
And from my fond embrace thus rudely torn!
With offerings hallowed by fraternal tears
And by the usages of by-gone years,

I come to bid a last farewell to thee,
Endless, dear brother, as eternity.

'AD TUMULUM FRATRIS.

CATUL. CI.

Multas per gentes, et multa per æquora vectus,
Adveni has miseras, frater, ad inferias, [tis,
Ut te postremo donarem munere mor-
Et mutum nequicquam alloquerer cinerem; [stulit ipsum
Quandoquidem fortuna mihi tete ab-
Heu miser indigne frater adempte mihi. [parentum
Nunc tamen interea prisco quæ more
Tradita sunt tristes munera ad inferias, [fletu;
Accipe, fraterno multum manantia
Atque in perpetuum, frater, ave atque vale.'"

The General contributed an article on "The Six Writers of the Augustan History" to a little journal published during the Great Fair of the Sanitary Commission, in the year 1864, and known as the *Spirit of the Fair.* As the existence of the ephemeral sheet referred to must have been long since forgotten, and as it is not likely ever to be seen again, except among the treasures of the collectors of the very rarest scraps of literature, I deem myself excusable in thus preserving from unmerited oblivion one specimen, at least, of its varied and entertaining contents:

"THE SIX WRITERS OF THE AUGUSTAN HISTORY.

"The most amusing book extant, of so ancient a date, is the collection of biographies of the Roman Emperors, bearing the above title—'Historiæ Augustæ Scriptores.' They commence with the reign of Adrian (A.D. 117), and end with Carus and his sons, Numerianus and Carinus (A.D. 285), embracing a period of more than a century and a half.

"There is a gap of ten years between Balbinus and Valerianus, during which the Roman Empire was convulsed by the conflicts of factions. Had these biographies begun two reigns earlier, so as to include Nerva and Trajan, they would have been a continuation of Suetonius, and have furnished, with the latter, a complete biographical history of the Emperors, with the exception of the gap alluded to, for the first two hundred and eighty-five years after the Christian era.

"He who looks in these biographies for the stateliness of the standard historians and biographers of antiquity will be greatly disappointed; but he will be amply compensated by the fund of anecdote, in which these delineations of Imperial character abound. They belong not so much to the department of history as to the class of domestic portraits, in which the chief aim of the artists seems to have been to amuse outsiders, rather than to exalt the characters of their subjects.

"In point of execution not much can be said in praise of these Imperial portraits. The authors were nearly three hun-

dred years behind the Augustan era; the language and literature of Rome were in their decline; and, indeed, there was scarcely a writer after them, except Claudian, whose works are held, as literary compositions, in much esteem. One of their critics has so poor an opinion of their writings that he pronounces some passages tolerable, but others altogether pitiful—'*tout à fait pitoyables.*' Certain it is they are hardly to be ranked with the classics, and they are not comprised either in Lemaire's or Valpy's collection.

"It is not, however, as writers that I propose to consider them. I only design to give a few extracts from their writings touching the private character of some of the Emperors. They will be found, not only like ordinary men, but like men in high position of our own time—persons who loved their little jokes, and would have them, in spite of all the trappings of royalty and all the responsibilities of extended empire.

"It is quite questionable, in truth, whether there was much difference between the ancients and ourselves (I allude to the most civilized nations), except in certain social facilities for intercommunication, intellectual and physical. They neither printed newspapers, steamed by land and water, nor sent telegraphic messages by electricity. But the Romans ate parched peas at their theatres, just as our people eat peanuts at the Bowery; although Horace, in his 'Art of Poetry,' says the criticisms of the play by the pea-eaters were not much respected. A writer in *Harper's Monthly* has just made known the interesting fact that pork and beans are not an invention of the Yankee kitchen, but that they are a product of Roman gastronomy. In short, with the exceptions alluded to, it is doubtful whether there is much under the sun that is new.

"But to return to the Augustan historians. The extracts I propose to give from them I shall take the liberty of rendering with the greatest freedom, not only because it is impossible to preserve the conciseness of the Latin in an English translation, but because the language of humor with us is almost necessarily diffuse. Moreover, in giving to these

extracts a new dress I shall conform to the character of the compositions of which they are a part; so, if any want of dignity is found in their presentation, let it be understood that the fault is not mine.

"*How Adrian helped an Old Soldier to get his Back Rubbed.*

"The Emperor Adrian used to bathe frequently in public —a habit which gave rise to a capital joke. One day, seeing an old soldier, whom he had known in the army, rubbing his back against a marble slab, after coming out of the bath, he inquired the reason. The veteran answered that he had no servant to do it for him; whereupon the Emperor ordered him a servant, with towels. The next day about a dozen other old fellows appeared, rubbing their backs against the marble, thinking the Emperor would be as liberal to them as he had been to their companion. But he was not the man to be humbugged in that way; and, calling them to him, he suggested, in the blandest manner, that the best thing they could do would be to rub each other's backs; and he followed up his advice by ordering them to go at it.

"*Cicero's Little Joke Applied to an Emperor.*

"Marius, a blacksmith, was Emperor three days; or, as was said, they had an iron rule for three days. The first day he was made Emperor, the second he reigned, and the third he was killed. The wags likened his case to that of the man who was consul six hours in the afternoon, and of whom Cicero said, 'We had a consul so severe, and so stern as a censor, that, during his administration, not a single man in all Rome dined, supped, or slept.'

"*How Antoninus Geta gave Alliteration Dinners.*

"This Emperor used to edify his invited guests by informing them, as they took their places at dinner, that all the dishes they were to have would begin with one letter. Here is one of his banquets got up with the letter P: 'Pul-

lus, perdix, pavus, porcellus, piscis, perna,' etc.; or, spring chicken, partridge, peacock, pig, fish, ham—not a bad entertainment, by-the-bye. This would be a pleasant conceit for some of our dinner-giving friends, announcing to their guests, as they took their seats at table, that the *carte* only embraced articles beginning with a certain letter. With the letter C, for example, they might give us calves'-head soup, codfish, corned-beef and cabbage, capons, canvas-backs, custards, charlotte-russe, claret, and champagne — quite enough to satisfy the daintiest gastronome. Try the alliteration dinner-system of Antoninus Geta by all means. It will diversify agreeably the horrible monotony of our conventional banquets.

"*The Entertainment of an Emperor.*

"Aurelian was greatly amused with a glutton, who ate before dinner a whole wild-boar, a hundred rolls, a sheep, and a pig, and drank a cask of liquor through a funnel. What a troublesome customer this fellow would have been for the Knickerbocker kitchen! No one, I take it, will be so unreasonable as to hold me (a mere compiler) responsible for the truth of this statement. I make it on the authority of Flavius Vopiscus, who lived in the reign of Aurelian, the only one of the six historians, I believe, who wrote contemporaneous biography, the others having all lived after the Emperors whose portraits they drew.

"*How the Emperors were all Right on Plundering.*

"When a soldier stole a poultry-cock (very likely a tough one), the Emperor Pescennius Niger ordered the thief and ten of his companions, who helped him eat it, to be beheaded; and he would have carried out the order if the whole army had not interceded for them. But he only pardoned them on condition that they should pay ten times the price of ten fowls; that the squad to which they belonged should not be allowed fire or anything freshly cooked, but should live on bread and cold victuals.

"In like manner, Aurelian said, in one of his orders: 'If you wish to be a tribune—nay, if you wish to live—you must restrain your men. No one must steal a chicken, or touch a sheep, or take fruit, wood, oil, or salt; but he must be satisfied with his pay.'

"When a certain major-general (who shall be nameless) was in command at Fort Monroe, Virginia, a young lieutenant, sent out with a working party, told his men to go to a farm-house and get a sheep. Not finding one, they robbed three defenceless women of their poultry, bringing back the dead fowls on their bayonets. The general had the officer tried and cashiered, and made the depredators pay the value of the poultry. The newspapers cried out against the severity of the punishment, and so strong an influence was brought to bear on the tender heart of the President that the officer was restored to his rank. If he makes half as much havoc with the enemy as he did with the old women's poultry-yards, he will earn his restoration; but it seems a pity that a disposition to enforce the Roman rule of abstinence from pillage —which is also the rule of civilized warfare—should not be sustained by public opinion.

"*What a Hard Drinker is Capable of.*

"If any one is curious to know how the glutton who amused Aurelian so much was able to dispose of a cask of liquor, let him read the life of Bonosus, of whom Aurelian said that 'he was not born to live, but to drink.' Though, according to Vopiscus, he was always sober, however marvellous the quantities he drank, yet, when he came to a violent death, it was pleasantly said of him by the Romans that they 'had not hung a man, but a wine-cask.'

"Enough has been said to give the patrons of the Metropolitan Fair some idea of the nature of these curious personal memorials. De Quincey pronounces them 'full of entertainment, and of the most curious researches;' and he acknowledges his indebtedness to them in giving the private and

personal history of 'the Cæsars.' They are best read in the original. But good editions of the work are very scarce; and there is an English translation (the only one extant), by John Bernard (1740), still scarcer.

"It would be worth the while for some scholar to give these ancient biographers a fresh introduction to the public. Their materials are, obviously, gleaned from very numerous sources, not of the highest authenticity; but they are quite as entertaining and much more instructive than the current works of fiction, except those of the first class."

In St. Thomas's Church, in this city, there may be seen a memorial window, or, rather, a series of windows, inscribed with the names of the more distinguished of the Willett and Stephens families. The Latin inscription commemorating Mr. John L. Stephens, the famous explorer of Central America, Chiapas, and Yucatan, was written by my father:

"IN MEMORIAM

JOHANNIS L. STEPHENS, QUI MORTUUS EST DIE DUODECIMO MENSIS OCTOBRIS, A.D. 1852, SEPTEM ET QUADRAGINTA ANNOS NATUS. IN ARABIA PETRÆA LONGE LATEQUE PEREGRINANS LUMEN VESTIGIIS ANTIQUÆ ARTIS ADHIBENS, MONUMENTA AMERICÆ CENTRALIS VETUSTA INVESTIGANS, UTRAMQUE REGIONEM AB OBLIVIONE VINDICANS, MARIA MAGNA FERREO NEXU JUNGENS, AMISIT VITAM AT NON PERDIDIT."

In connection with this department of literary work, I think that the letter which follows will prove of interest. It was addressed to the Hon. George T. Davis, and related to an epitaph on Colonel Lincoln, who was connected with our family, Mrs. Lincoln and Mr. Charles F. Blake being brother and sister.

"New York City, October 17, 1864.

"MY DEAR SIR,—I have been so much occupied since I had the pleasure of seeing you at my house, that I have been unable until now to write you, as I promised, in regard to the proposed epitaph for the monument

to Colonel Lincoln. I have lost your memorandum, but believe it was this:

'Actis benignis ævum implevit, non segnibus annis.'

"You will find in Valpy's edition of the 'Scriptores Romani,' vol. ii. of Ovid, page 834 (line 449), the following:

'His ævum fuit implendum, non segnibus annis.'

"'His' refers to 'acta,' in the preceding line. It is from the 'Consolatio ad Liviam Augustam, de morte Drusi Neronis, filii ejus, qui in Germania morbo periit.' This elegy is published with Ovid's works. (I have not time to look into the annotators to see why), but it is usually ascribed to Pedo Albinovanus, who was a friend of Ovid, and to whom the latter addressed one of his letters from Pontus (Lib. IV., Epist. 10). In this letter is that well-known and beautiful passage:

'Gutta cavat lapidem; consumitur annulus usu;
Et teritur pressa vomer aduncus humo.'

"The same letter contains another well-known expression, 'Tempus edax' (varied, in the 15th book of the 'Metamorphoses,' line 234, thus, 'Tempus edax rerum'), falsely ascribed, in every book of Latin quotations I have seen, to Horace.

"To return to the quotation from the 'Consolatio ad Liviam Augustam' and the epitaph for Colonel Lincoln. I suppose the author of the latter intended it as an adaptation of the former; and as the words to which you called my attention are classical in the application made of them, it would be presumptuous in me to suggest a change. I must, however, say I should prefer 'haud' to 'non.' You referred to the passage in the second Æneid, line 724, concerning the little Iulus:

'Sequiturque patrem non passibus æquis.'

But you will find in the sixth book, line 263, the following concerning the father:

'Ille ducem *haud* timidis vadentem passibus æquat.'

I feel very diffident about making any suggestions on a question of Latinity to an alumnus of Harvard, but I have a feeling, without authority for it, that *haud* is more graceful than *non*. The former, it is true, is more frequently used with adverbs than adjectives; but its use with adjectives has the sanction of Virgil, Plautus, Cicero, Ennius, Terence, Sallust, and Livy.

"I write you in haste and without time for critical examination. I ought, perhaps, to say one word about 'benignis.' Its common use is, I think, to designate mental affections; but its application to inanimate

things was not altogether post-Augustan. It will be found in Ovid, Pliny, and others.

"Excuse these crude suggestions, and believe me, with kind remembrances from my family, who have a pleasant recollection of your hurried visits, which I trust may be repeated and more prolonged,

"Very truly yours,

JOHN A. DIX.

"HON. GEO. T. DAVIS."

I do not know how better to conclude this branch of my subject than by presenting to the reader a part of an address to the graduating class of Union College, at Schenectady, June 24, 1874. He was, during that year, Honorary Chancellor of that university, an institution in which he took a great interest, and with whose distinguished President, Dr. Eliphalet Nott, he had been on terms of very cordial intimacy for many years before that eminent instructor's death. The latter half of the address relates to the study of the Greek and Latin authors, and presents his views upon the subject so frankly and in so popular a manner, that its perusal cannot be regarded as tedious, even by persons not familiar with the glorious tongues to which he refers:

"And this leads me to say something in regard to the Greek and Latin languages. The former, however desirable, may be regarded, perhaps, in the light of a luxury in literature rather than a necessity, and as drawing too largely on the time of any but professional scholars or men of leisure. But I consider a knowledge of the Latin essential to the education of an American citizen, and as the very best means of enabling him to use the English language, as a speaker or a writer, with accuracy and effectiveness. A few years ago it was the fashion to decry it, and in some of our colleges the option was given to students to substitute other studies for it.

"But there has been on this subject a marked, and as I think a most fortunate, reaction in public opinion; and in one, at least, of the colleges, in which the option referred to was given, the Latin has been made obligatory again, from the

conviction that no scientific course can be complete, or can be satisfactorily and successfully carried on, without it.

"But there is another reason of universal application under a Government like ours. The avenues to eminence are open to all. Every man takes part, more or less actively, in public affairs. He is a voter. He attends political meetings, and may be called on, and will be called on, if he has sufficient capacity, to speak or to write in vindication of his own opinions and acts, or for the information and guidance of others on public questions. In speaking or writing he is the most effective whose sentences are the most pointed and incisive. The great error with us is diffusiveness of style, or what our New England friends characterize by the expressive but homely phrase of slopping over. I know no corrective so effectual as a thorough knowledge of the Latin. Besides entering largely into the structure of the English language, it has a power of condensation which is marvellous; and he who is thoroughly imbued with its spirit cannot fail to write stronger, more compact, and more effective English. Take, for example, these four words from Statius, one of the later Roman poets:

'Tacent exhausti solibus amnes.'

Although our own language has no inconsiderable capacity for condensation, the true meaning of these four Latin words cannot be expressed with less than eleven or twelve in English. Thus: 'the rivers, exhausted by the continued heat of the sun, are silent.' The full force of 'solibus' in this connection cannot well be given in fewer or in any other form of words than 'the continued heat of the sun.' This compactness, if I may so term it, is one of the chief characteristics of the Latin language; and any writer or speaker who reads the Roman poets or prose writers habitually and with care, is very sure to give evidence of their influence in the conciseness of his style.

"Let me give you one caution. If you become writers or public speakers, never quote from the Latin without consulting the original author. Do not trust to any dictionary of

quotations. I will tell you my own experience. Some years ago, having occasion to use a Latin phrase, and not feeling quite sure of it, I looked for it in the dictionary of Latin quotations, which forms a part of Bohn's classical library, and to my surprise I found it attributed to a wrong author—to Ovid, when I knew it was from Juvenal—although the work was compiled by a Cambridge scholar, and was commended by the British publisher for its accuracy. The discovery of this error led me to undertake a thorough examination of the book; and, with the aid of a good Latin library, I found and compared with the originals all the quotations, amounting to several thousand, from the Latin authors, though the task occupied me about an hour and a half every morning before breakfast for two or three months. The result was that I discovered more than two hundred false quotations, a considerable number which were attributed to wrong authors, some gross misapplications, and one or two instances in which two lines from different authors were combined and credited to one of them. Thus I came to the conclusion that the compiler, in preparing his work for the press, had not taken as much pains to insure its accuracy by consulting the authors from whom he quoted, as I had in reviewing it for my own satisfaction. Do not suppose that there was either time or labor lost on my part. On the contrary, I revived pleasant memories of my early student days and became familiar with much which was new to me.

"Among the false quotations referred to there is one which is in perpetual use with us, and which is very rarely given accurately. It is this:

'In medio tutissimus ibis.'

"If you look in the second book of Ovid's 'Metamorphoses,' about the 135th line, you will find the preposition 'in' before 'medio' wanting. Phœbus, to avert, if possible, the consequences of a rash promise, is directing his son Phaeton how to drive the chariot of the sun around the earth.

He must not go too high, lest he should set fire to the celestial mansions; nor too low, lest he should set fire to the earth: the middle course is the safest. In his own words:

'Altius egressus, cælestia tecta cremabis:
Inferius terras: medio tutissimus ibis.'

"To interpolate in the last line the preposition 'in' is not only to betray our own deficiency in true scholarship, but to do great injustice to Ovid, by imputing to him a monstrous verse —an imputation the more unjust as he is not living to resent it.

"I remember once to have heard a lawyer of respectable standing say:

'Tutissimus ibis in medias res:'

he might as well have said, 'The safest place for a man is in the midst of an affray'—a proposition which does not quite accord with our experience.

"This familiar quotation from Ovid, the most prolific and one of the most graceful of the Roman poets, suggests that you will find in his eventful life, from his intimate association with the family of the Emperor Augustus to his unexplained downfall and banishment, an irresistible appeal to your sympathy, even though it be across a chasm of nineteen hundred years. There are few passages in the history of classical literature more touching than his outpourings of poetic anguish during the weary years of his exile, falling without effect on the ear of the obdurate and selfish Cæsar; and, in tender contrast with his male oppressor, the spectacle of the Imperial Catherine of Russia, while traversing her vast dominions eighteen hundred years later, discovering a solitary tomb on the shores of Pontus, deciphering with difficulty on the time-worn marble the name of Ovidius, and bursting into tears at the remembrance of his genius and his fate.

"While on the subject of public speaking, I desire to say that one of the rarest of all intellectual gifts is what Quintilian denominates

'Ex tempore dicendi facultas'—

the ability to speak extemporaneously with fluency and effect. It is so very rare, that I should hardly advise any one to attempt to acquire it by a systematic course of discipline or practice; or, indeed, by any other process than that of amassing with all our intellectual force the treasures of knowledge. With such an armament, if there is a 'Deus in nobis,' we shall be warmed and inspired by his own motion. On ordinary occasions and on questions of minor importance it is quite possible to speak well extemporaneously. But topics involving weighty considerations and extended views can never be safely discussed without the most thorough examination. No speaker, whatever may be his intellectual capacity, can do justice to himself or to his subject without it. The great orators of antiquity were never willing to peril their fame by speaking without careful preparation. The poets were scarcely more elaborate in their compositions. Pericles, Demosthenes, and others constantly refused to respond to unexpected calls on them by their fellow-citizens in public assemblies. In Bryan's translation of Plutarch's life of Demosthenes you will find this passage: 'Haud temere quisquam Demosthenem audieret extempore dicentem; sed quum in concione sæpe sederet et populus nominatim eum exciret ad dicendum, nisi esset meditatus ad id et paratus, non procederet.'

"Suetonius, in his life of Augustus, while conceding to him some capacity for extemporaneous speaking, says his speeches were always elaborately prepared: 'Neque in Senatu, neque apud populum, neque apud milites unquam locutus est nisi meditata et composita oratione, quamvis non deficeretur ad subita extemporale facultate.'

"In like manner Aristides, the orator, when the Emperor Marcus Aurelius expressed a wish to hear him speak, said he must have a day to prepare himself, and he added: Οὐ γὰρ ἐσμὲν τῶν ἐμούντων, ἀλλὰ τῶν ἀχριδούντων—a saying which has been rendered in Latin thus: 'Non sumus è numero vomentium, sed cum cura aliquid elaborantium.'

"The Greek ἐμούντων and the Latin 'vomentium,' when literally translated, are not quite presentable to 'ears polite;' but the disclaimer of the orator may, without losing much of its significance, be rendered in English thus: 'We must not be classed with the spouters, but with those who carefully consider what they have to say.'

"I remember some years ago reading a letter from Lord Brougham to a young friend who was preparing himself for public life, in which his lordship said that the portions of his speeches which had attracted most of the public attention had been carefully studied beforehand.

"My advice to you, then, is to give heed to the example of the great orators, ancient and modern; for if you do not, you may find yourselves classed with the spouters.

"But, Gentlemen, I must not trespass on the time allotted to other exercises. I cannot, however, forbear to say, in reference to a higher sphere of duty than any I have alluded to, that amid all the mysteries and uncertainties of human life there is one sure guide for our practical conduct — that golden rule of doing to others as we would have others do to us—a rule implanted by the Creator in every breast, coeval in its developments with the first dawnings of civilization, and proclaimed in some form of words by nearly all the great law-givers and moral teachers of antiquity as far back as the historical records of society reach. In one of the discourses written by Isocrates, under the title of 'Nicocles,' three centuries before the Christian era, you will find these words: τοιούτους εἶναι χρὴ περὶ τοὺς ἀλλους ὑμας, οἷόν περ ἐμὲ περὶ ὑμας αξιοῦτε γίνεσθαι; or, in Latin: 'Tales erga alios vos præbere debetis, qualem erga vos me esse postulatis.'

"In the latter part of the same discourse it is repeated in another form of words.

"And it comes to us now stamped by the Saviour with the seal of divine authority, and prescribed as the imperative rule of conduct in our intercourse with our fellow-men.

"With this rule for your guide, with temperance, industry,

and perseverance (I put temperance first, for without it industry and perseverance soon fail), it is in your power to stand among 'the choice and master spirits of the age,' or in the front rank of the noble army of Christian scholars. Bear ever in your minds, as the most precious and persuasive of all encouragements, that the loving hearts of fathers, mothers, brothers, sisters, and friends will go out with you on the changeful voyage of life; to tremble when the storm bursts upon you; to hope, not without anxiety, when the calm brings with it seductions to illicit indulgence and indolent ease; and to swell with joy and pride when you contend manfully and triumphantly against the dangers and temptations which will beset your paths. And finally, let me, in taking leave of you, say for myself, and for the learned Faculty under whose guidance your collegiate course has been conducted, our earnest wish is that the graduating class of 1874 may not fall short of any of its predecessors in doing honor to your Alma Mater; and that, when you shall have fought out the battle of life, you may be borne, like faithful soldiers, to honorable resting-places, with a humble hope of recompenses beyond, in comparison with which all earthly glories pale and fade away."

In my memoranda of my father's life in Washington, as a young army officer, I referred to his facility in making rhymes. Some of our eminent men have had occasion to lament their rashness in publishing such effusions in the era of inexperience and immaturity, and have exerted themselves to the utmost, in after years, in acquiring and destroying every copy of their work that they could lay hands on. The General never fell into that error; nor should I now publish any of his verses, unless with the design of illustrating some point in his history, or of preserving something else connected with such specimens of ingenuous recreation. In 1850, while passing the summer near East Hampton, he penned some lines in an album, which it seems worth while to notice, by way of introduction to a letter addressed by him to Charles Eames,

Esq., in which he vigorously deprecates the honors of the poetaster. The place where these verses were composed is a little hamlet which rejoiced—and still, no doubt, rejoices—in the name of Appaquogue, a distinctly heathenish appellation, for which the aborigines are responsible. This minute settlement is apostrophized in these stanzas, probably, for the first and last time. Some years later the verses were printed without the knowledge or consent of the writer; and what he said on that discovery may entertain the reader, after having perused the composition referred to:

1.

"Fair Appaquogue! how oft I've trod
In dreamy thought thy sea-girt plain,
Pondering the wondrous works of God—
The earth, the sky, the trackless main!

2.

"In other days it pleased me more
To scale the cloud-capped mountain's height,
And hear the raging torrent roar—
Types of the great Creator's might.

3.

"But now, in placid scenes, I love
The same creative power to trace—
The plain, the sea, the skies above,
Emblems of endless time and space.

4.

"That misty line where sinks the sky
And heaves the ocean's breast sublime,
Seems like the bound, to fancy's eye,
That parts eternity and time.

5.

"Behold that narrow zone of sand
Circling the never-resting sea,
That pours its billows on the strand
In loud, majestic minstrelsy.

6.

"Frail barrier! to thee 'tis given
To gird the mighty waters round—
To hold them back when, tempest-driven,
They seek to pass thy fragile bound.

7.

"With man's proud wealth the bridal sea
That sandy girdle loves to deck;
Here sleeps the sunken argosy,
Here marks the mast the buried wreck.

8.

"When bursts the sea-storm on the shore,
And piles up mounds of glittering sand,
In these we see, in these adore,
The work of an Almighty hand.

9.

"From those bleak sands spontaneous shoot
Fresh forms of re-created life—
The spear-shaped grass, the clustering fruit,
Born of the elemental strife.

10.

"But chiefly in thy calmer mood,
Fair Appaquogue! thy fields I love,
When reigns a genial quietude
O'er land and sea and skies above.

11.

"When the cool breezes from the shore
Pour freshness on thy sunny plain,
I turn my eager steps to thee,
And feel myself a boy again."

Now follows the letter of remonstrance on the liberty taken in making public what was intended only for the entertainment of the domestic circle in their summer's rest:

"New York, July 20, 1854.

"My dear Sir,—How could you (a born poet, as I believe you are) have the heart to show me off as a poetaster in the columns of the *Union*?

I am not an old and hardened offender to be thus held up to public criticism. Only twice in the last quarter of a century (I call all the heathen gods to witness!) have I 'violated the proprieties' by presuming to write verses. Once while in Washington (I cannot say *senatûs-consultû*) I addressed a few stanzas to my wife on the anniversary of her birth. You, who have so sweet a yoke-fellow, will know how to pardon such an inspiration. In 1850, that year of compromises (alas! that I should ever have compromised myself in verse!), our excellent hostess at East Hampton had an album presented to her, and it was handed to the boarders for a round-robin of sentimentalism. How could I refuse? I couldn't. I did the deed on a Sunday morning. 'Overhaul your almanac,' and you will find that the 1st of September, 1850, was Sunday. If it had not rained I should have gone to meeting (church there is none in those diggings), and I should have got off without the aid of versification on prosaic Monday.

"What annoys me most is that formality of foot-notes. They look as if I had got the thing up for publication myself. I never got up a rhyme for the public in my life. I repeat—I have only poached twice on the close of the Muses in a quarter of a century. Don't I know the sign for a poet?—'*Est Deus in nobis: agitante calescimur*,' etc. No god of verse ever took up his quarters with me: I was never stirred or warmed by any such celestial lodger. I disclaim the foot-notes. I never took the measurement of the highway from the Presbyterian church at East Hampton to Georgica pond. I never translated 'the clustering fruit' into beach plums. I never called the brig *Mars*, from down East, an 'argosy.' I have a great mind to deny the verses. I never wrote, 'New York, September 1, 1850.' I was not at New York: I was going barefoot at East Hampton, Candyville, Appaquogue, Georgica (as the prolific nomenclature of that region has it), waging war against the feathered race with a double-barrelled Manton. I could prove an *alibi*, if I chose. If I wished to damage the *Union* (the typographic Union meaning), I could show myself a hundred and ten miles away from New York on that 1st of September. What, then, would become of the organ as a vehicle (not to say a grinder) of poetic truth? 'The poetic license,' I think I hear you suggest. It won't do, my dear Sir; I have read the poets, from Job and Homer down to the Hon. John Quincy Adams, and they give no license to alter dates or manufacture foot-notes for a neighbor.

"Besides, I suspect there is a larceny in the case: I am confident Mrs. C——'s album has been robbed. I am going down to Appaquogue next week. I shall have the matter investigated, and deal with the offender according to law. I hope you may not turn out to be an accessary be-

fore the fact. I might possibly forgive you the publication, if it were not done with malice aforethought.

"Your friend, JOHN A. DIX.

"CHAS. EAMES, Esq."

In spite of the energetic spirit of protest in the foregoing letter, I will venture so far as to add a few verses written by the General in Paris, in 1868, and addressed to a young girl on her birthday:

"TO ELLA.

"'. . . . *Pauca mea Ellæ,*
Carmina sunt dicenda: neget quis carmina Ellæ?'

"Dear Ella, in this spotless sheet
A symbol of thy life I see:
Pure, radiant, in all things meet
For what the other life must be.

"On such a page—unstained and fair—
I hesitate my words to trace;
My office seems, like that of Care,
To draw dark lines across the face.

"And yet, not so! Although in streams
Of duskiest hue these words I write,
The fervid thought that through them gleams
Shall gild them o'er with rays of light.

"Wear worthily, while yet you may,
Your radiant youth's victorious crown;
Be dauntless, when a future day
Shall summon you to lay it down.

"Ay, underneath that brow of thine,
All placid and untroubled still,
Full well I know there is a mine
Of strength to master every ill.

"Whole hosts of friends shall gird thy way,
And speed thy footsteps with their prayers;
I too a cordial homage pay,
And join my benison to theirs.

"J. A. D.

"Paris, December 13, 1868."

I recall but little else in the record of the closing years which would be likely to interest the general reader, though for us they were full of the material of which pleasant memories are made up. It was a cause of gratitude to Divine Providence that he was permitted to retain his faculties to the last, that his mind remained unclouded, and that he was able to enjoy, till within a very short time before his departure, the pure and simple pleasures which brightened that calmly falling evening. Although subject, for some two years, to occasional attacks of one of the painful diseases of old age, the Man stood unsubdued, if not quite unshaken, complete in intelligence, will, and moral and spiritual force. And here, perhaps, better than anywhere else, some touches may be added to a picture which will be recognized as accurate by those who remember him, and valued, where such helps are needed to bring before the mind's eye the forms of those whose place knoweth them no more.

More than thirty years ago some one wrote of him as follows:

"Though distinguished as a statesman, he appears to no less advantage in private life. His philanthropy and public spirit are properly manifested on all suitable occasions. As a citizen and a Christian, his example is faultless. As a neighbor, he is ever ready to perform whatever benevolence may dictate. As a friend, he is disinterested and sincere, and faithful almost to a fault. As a husband and father, he is a pattern which most men may study to advantage, and all may copy without danger. In all his dealings he is liberal and just. Selfishness and ambition form no portion of his character. His manners are unobtrusive and plain, though not devoid of grace. The humblest is soon at his ease in approaching him. In his tastes and habits he is simple and unostentatious. He does not seek to be a leader in public affairs, or a reformer, to catch the breeze of popular favor. His modest sincerity often induces him, in matters of policy, to doubt his own convictions and to adopt those of his friends. His manner

in expressing his differences in matters of opinion is such as to give no offence. Indeed, it is probable that he has not a personal enemy in the world. If purity of purpose can shield a public man against creating enemies, he will never have one."

Whoever the author of that little sketch may have been, his testimony was true. What had been said so long before was substantially repeated again and again in the eulogies pronounced after his death.

The General, though not of imposing stature, had a striking and dignified presence. His height was five feet eight inches—less than it would have been, probably, but for hardships and privations sustained in his boyhood in the army. His complexion was fair, his features regular and well marked, his mouth expressive of firmness and decision. His eyes were a clear blue; his sight was unusually strong—he surpassed, in that particular, most other men. The circumstances of his education and early life, the advantages of foreign travel, and the nature of his favorite pursuits, had given him the air of a citizen of the world. His figure was erect, his walk rapid; and his energetic movements were the index to his active mind and decided opinions. To those opinions, once formed, he adhered with a firmness which sometimes bordered on obstinacy, and illustrated the legend on the family arms, "*Quod dixi factum est.*"

Whatever he did was done with all his heart. He entered into work and play with the same cordial interest. He had a keen sense of humor, and would laugh till laughter became absolutely painful, at a good story, a comedy, or an amusing song. He loved the quiet pleasures of the home circle, where each person contributes his share toward the gratification of the company; but from a stiff and formal entertainment or a heavy state dinner he invariably escaped whenever it was possible to effect a retreat.

He was very fond of games, and played them all well; but he never thoroughly liked those in which there was an ele-

ment of chance, grading his estimate of them according to their freedom from that source of uncertainty. Chess, of course, stood highest of all in his favor. He was taught it at Fort Constitution, Portsmouth, New Hampshire, by a brother officer, who beat him steadily in every game they played for nearly two years; but under that discipline he learned to play so well that he rarely found any one thereafter who could cope with him. Whist came next in his regard, and dear Sarah Battle, of precious memory, might have arisen to do honor to his "rigorous" views of that noble game; for it was wont to go hard with the partner who fell short of what was required. Stern and formidable was the gaze of the General on such occasions, as from beneath his frowning eyebrows he regarded the delinquent,

". . . . Iracundus, inexorabilis, acer."

Among his marked characteristics was that of invariable courtesy toward inferiors. He seemed incapable of being rude or uncivil to any one, however lowly his station: he had a kind word and a pleasant look for the humblest, and did them favors in a way which made the favor doubly acceptable. Some years ago, while he was Comptroller of Trinity Church, there died under my pastoral care one of our employés, a Frenchman, who had known the General well, as his official superior. One day he said to me, in his broken English: "How different the General is from many of those with whom I have been thrown! Some treat me as if I were no better than a dog; they speak roughly, they scarcely look at me, they are hard and cold; but he is so kind, so courteous, so sweet; he speaks to me as a man, with consideration, without pride; he is like a brother to me. Ah, if gentlemen in his rank in life were all like him to us, there would not be so many Communists and revolutionists in this world!" It seemed to me at the time that the dying man's words were well worth attention on more grounds than one. The bitter feelings of the lower—the dangerous—classes are far more

likely to melt under the sunshine of kindness and sympathy than to evaporate in the coldness of arrogance and disdain.

It was also natural in him to be most deferential toward the fair sex. In that particular he was certainly the *preux chevalier*. Instances of this must be treasured in the recollection of all who knew him. It made no difference who or what the woman might be who went to him for help in trouble—she was sure of being civilly treated and patiently heard; nor was it difficult for designing persons to impose on him, and take advantage of his readiness to do a kindness where he could. As for ladies of rank and position in society, they always received from him the special courtesy and consideration due to their worth. There was a charm in the very simplicity and sincerity of his admiration for those who deserved esteem; nothing forced, nothing exaggerated, nothing even bordering on the sensational or the dramatic, was apparent in his bearing toward them, but something which bespoke manly regard and deferential respect. He was particularly sensitive as to saying or doing anything that could give pain. He loved my wife as a father loves the daughter of his own house; he had always a little nervous fear lest some recollections of the Civil War should ever come, like a shadow, between her, a Southern woman by descent, and him, an old soldier of the Federal army. Though there was not the slightest ground for such an apprehension, it sometimes became amusingly evident. The General used to come to our house almost every morning to give us greeting. One evening, during the political canvass of 1876, he had to make a speech at a public meeting. On the next morning he did not appear, but sent the following pretty little note, which is still treasured affectionately by her to whom it was addressed:

"No. 3 West Twenty-first Street, October 4, 1876.

"My dear Emily,—I am coming to dine with you to-day. Don't read my speech, dear. I had to say a little something about the rebellion —and I would not wish to say it to a rebel like you, against whom to rebel would be treason never to be pardoned.

"I had a great ovation last night. The *Herald* says the people were 'wild with enthusiasm' when I appeared; and I think there is a good deal of truth in it. But, after all, I am sighing for Seafield.

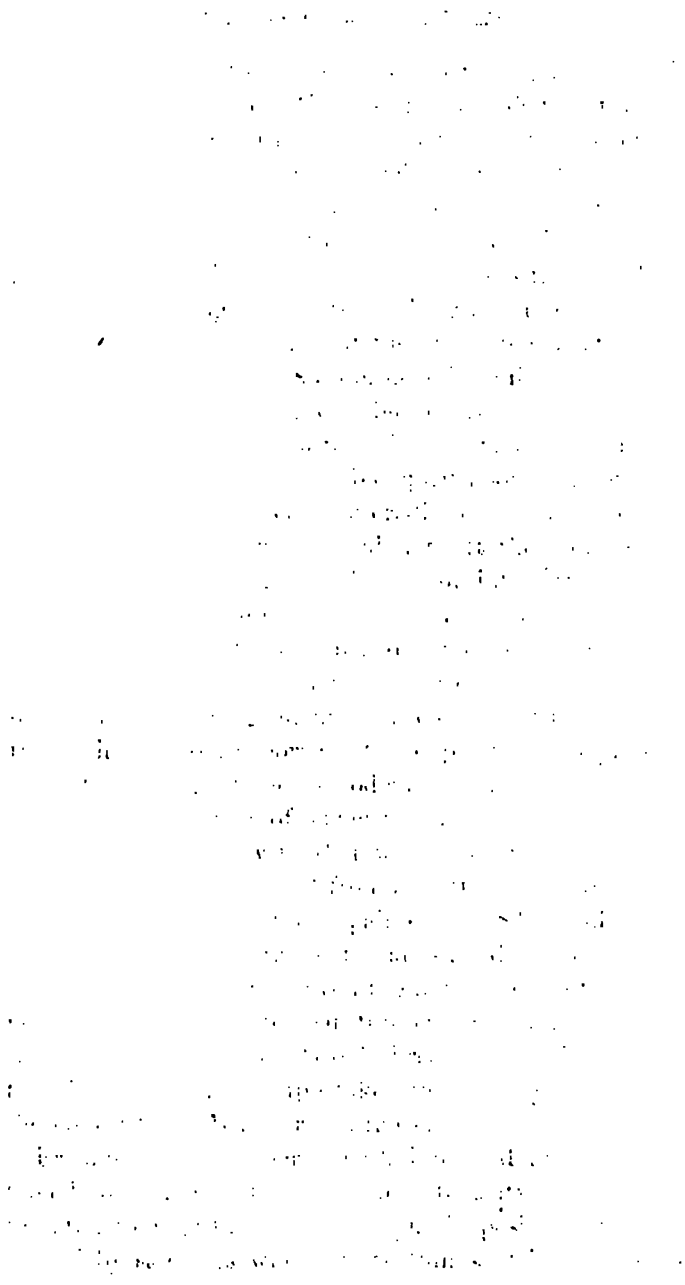
"Love to Morgan. Tell him the *National Quarterly* is down on Columbia College. Ever affectionately, JOHN A. DIX."

Of the many portraits of General Dix I have caused three to be engraved for this work. The frontispiece to the first volume is from a picture painted by James E. Freeman, at Albany, about the year 1836; the likeness in the second volume is from a photograph taken when he was in command in this city during the Civil War. A full-length portrait, life-size, is in the Governor's Room, in this city; the artist was Miss Anna M. Lea, whose work exhibits the peculiarities of her bold and very effective style. Another full-length and life-size portrait was painted in Paris, in the year 1867, by Perignan; it was purchased by my father's old friend, Alexander T. Stewart, and now hangs in a corridor of the Grand Union Hotel, at Saratoga. Both these pictures are good likenesses and striking works of art. At Albany there is another portrait of him, by William Hunt; it is included in the collection of the Governors of the State of New York, and has the merits of that distinguished artist's style. But of them all none has been more admired than that of which an engraving is here given. It was painted by Daniel Huntington, by order of Mr. Charles O'Conor, who presented it to the New York Historical Society, about a year after my father's death. It is a grateful duty to record this act of friendship and affection on the part of one whom the General always held in high esteem, notwithstanding the fact that they were separated for a time by political differences. And this recalls an incident which my honorable and distinguished friend will excuse me for relating, as it came to me from his own lips. It seems that on a certain occasion, during the heat of a political canvass, some persons called on Mr. O'Conor with the request that he would write an article for one of the Democratic journals calculated to damage the cause of General Dix,

and begging him to make it as severe as possible. Hastily and without reflection Mr. O'Conor acceded to the request, and bade them return on the morrow. That evening was spent in writing the desired article. The next morning, seated before the fire in his library, he read it over slowly and carefully, and then fell into a reverie, in which many thoughts passed through his mind; and the end was that he thrust his manuscript through the bars of the grate and watched it till it turned to ashes. When, at the appointed hour they called for the promised contribution, he said, quietly, "Gentlemen, I am sorry to disappoint you, but I have thought it all over, and I cannot do what you wish." It struck me as a beautiful instance of the flight of a noble spirit above the low plane of party politics, and as equally creditable to each of the men concerned—to him who would not lift the hand against an opponent whom he held in honor for integrity and honesty, and to him who, merely by his virtues and the simplicity of his character, had thus disarmed a no less noble antagonist. Mr. O'Conor's admiration and regard were farther declared, in the most striking manner, when, after the death of his friend, he ordered a portrait to be painted, and placed it in the safe keeping of the custodians of the most valuable memorials of the history of our city and State.

The portrait of my mother which adorns the first volume of this work was engraved from a picture by Charles Ingham, famous in his day. It was painted in 1836; and some idea of the laborious industry of the artist, and of the total despair to which he must have driven the fair subjects of his toil, may be formed when I state that Mrs. Dix gave him at least sixty sittings, some of which lasted three hours. The other portrait is from a photograph taken in Paris by Levitzky, when the General was Minister to France.

Friendships were sacred with him, and tenaciously maintained, in some instances with a tenacity which we were tempted to regret; for men in public position are often attended by satellites whose unworthiness it is not possible to



make them see. But, though I can recall the names of some who sought and succeeded in keeping his confidence for their own advantage, I fail to recall an instance in which he held a man as friend for his private ends, and threw him off when no longer useful to him: that vile though common art of making tools of others for a time and then dropping them, was to him absolutely unknown.

Among those true and tried friends was one whose name has been, and is still, a household word among us—Joseph Burke. My father's acquaintance with him began at Albany, when Mr. Burke was scarcely more than a child; his attachment to him strengthened and increased as years passed on. He was one of the honorable circle of his competitors at chess, and many and terrible were the battles waged by them upon the mimic field of war. One evening, prior to the usual conflict, Mr. Burke related a marvellous story of the loss and recovery of a violin. It interested the General so much that he wrote out the facts, in the shape of an article intended for publication in one of the popular magazines. The paper seems worthy of being preserved, on account of the series of strange coincidences connected with the adventure; indeed, there is a theory, now taking systematic shape among English psychologists, which would explain many occult things on the supposition of the existence of a subtle medium, by which minds are so connected that they see and read each other without being aware of the fact at the moment, and by means of which the human spirit is capable of being affected by waves proceeding from objects in the visible and invisible worlds. This strange story may be cited by way of illustration of the theory now referred to—that theory would explain what occurred. But, independently of this, the narrative appears to have a merit which entitles it to preservation. This, then, was the story which the General read aloud one evening to the little home circle of interested auditors:

"HOW MY FRIEND J. B. FOUND HIS VIOLIN.

"My friend J. B. has nothing in common with 'Joey B.' in 'Dombey and Son.' There is nothing 'sly' about him. He is open, frank, and honest; and he extracts from an old violin, made by a distinguished craftsman, sounds which would do no discredit to the angel whom Raphael represents, in one of his pictures, playing upon that instrument. Lest I should be thought prejudiced in his favor by the friendship which has subsisted between us for many years, I will only say that he was chosen from other distinguished violinists by Jenny Lind to accompany her in her triumphant tour through the United States; it is enough that she thought his strains worthy to mingle with those of a voice which has never been surpassed, if it has ever been equalled. He came on Thanksgiving-day, last month, as he has often come before, to help us eat a turkey and a pumpkin-pie; and, as a rare treat for us, he brought his violin with him. I say, a *rare* treat; for he has neglected it of late, and, as I tell him, been guilty of an unpardonable sin in hiding his talent. After dinner he charmed us with his exquisite performances; and, while remarking upon the sweet tone of the instrument, I asked him where he got it. He replied that it was a present from Jenny Lind, and he added, 'It was stolen from me some few years ago, and I will tell you how I recovered it.' And here I commence the recital in his own words, as nearly as I can recollect them:

"'I was boarding in Prince Street, near Broadway. My parlor was in the second story, my bedroom in the third. One morning, on entering my parlor, I saw my writing-desk open, and my papers scattered over the floor. On looking about me, I found that an opera-glass, an overcoat, and an umbrella were missing, and at last I discovered that a mahogany case containing two violins—*this* one of them—was gone also. The house had been entered by burglars during the night, and the robbery effected. My grief at the loss of this memento of the great songstress was indescribable. I went

immediately to the Police Head-quarters, and stated the facts to Mr. Matsell, the Superintendent, whom I had met a short time before at a musical party. He took a lively interest in the matter, promised to set his detectives at work, and told me to remain quiet. I waited several days, a week, ten days, a fortnight. No clew to the thieves had been discovered. My patience was exhausted; and I at length determined to advertise, though advised by Mr. Matsell not to do so. Had it not been for this violin, I would have followed his advice; but I could not rest until I had exhausted all the means of recovering it. I accordingly published an advertisement in the *Herald* and *Sun*, offering a reward of $50 for the violin, "and no questions asked." I considered this an exceptional case. If it had been a mere question of money I would have done nothing. But as a present from Jenny Lind it had to me a priceless value.

"'A week later I was far down in West Fourteenth Street, making a visit. I had been walking about most of the day making calls, and was somewhat fatigued. As I left the house one of the old yellow omnibuses of the Fourteenth Street line was passing, and it suddenly occurred to me that it would be a comfortable thing to get into it and ride home, instead of walking, as was my usual custom. I was about to call to the driver, when, looking down the street, I saw another coming, and decided to wait for it. As I entered this second vehicle I noticed two men sitting by the door, one on each side, and two or three other men farther on. It was early in the evening, and the lamp at the fore-end of the omnibus was lighted. I sat down and began to look about me. One of the men sitting next to me had his head down, and seemed to me as villanous a looking fellow as I ever saw. Looking toward the fore-end, I noticed *something* resting against the lamp-glass, about three feet high, and with a coat thrown over it. The object was not quite concealed. I next observed that the lower part was covered with green cloth. I suppose my imagination was on the stretch by reason of my anxiety in re-

gard to my violin; and the idea occurred to me that the shade of green was very like that of the cloth on the under part of my violin-case. Following with my eye the shape of the object upward, I next came to the conclusion that it was about the same length. By this time I was so excited that I suddenly called out, without having the least idea of the character of the man beside me, "Excuse me, sir, but I want to see what is under that coat;" and, suiting the action to the word, I stripped off the covering. It *was* my violin-case, indubitably! I seized it and took it on my lap. The lock had been torn off, and, on opening it, I found it contained my two violins, and both uninjured!

"'Turning now to the ill-looking man sitting next to me, I called out, in an excited tone, "Where did you get that box?" Receiving no answer, I said, in a still louder tone, "This is *my* violin-case, and I want to know where you got it." One of the men on the other side sitting near the door turned to me and said, "That box is in *my* keeping; if you claim it as your property, I want your name and address." When I had given them he said, "I will now tell you who *I* am, Mr. Burke; I am Officer Mansfield; the man opposite me is one of my detectives; *the man sitting next to you is the thief;* and, after a search of nearly two weeks, we are taking him to the Tombs. We found your property only half an hour ago, under a bed in a shanty on the rocks a long way up town, near the North River, and intended, as soon as we reached the Tombs, to have sent you word that we had recovered it. It is my duty to put it in the custody of the property-clerk at the Tombs, and to-morrow you can prove your ownership before a magistrate, and it will be returned to you." All this was done; and the next day I was in possession of the only portion of my stolen property in regard to which I had any concern.

"'And now,' he continued, 'I want you to tell me what you think of the extraordinary coincidences connected with this recovery of my favorite instrument. First, I happened to be on the route of the yellow omnibuses; next, I chanced

at the identical moment to feel tired, and the idea occurred to me that it would be a relief to get in and ride home. Then, I was about to stop the omnibus which was passing, but, at the moment, I saw another coming, and instantly determined to wait for it; and, finally, I entered the very vehicle where my lost instrument was waiting for me. I leave to the metaphysicians and natural philosophers to determine whether there may not have been a secret chord between me and my violin, which vibrated as we came near each other again, and drew us unconsciously together. All I can say is, that I feel mystified as these coincidences pass me in review, but that is the way I found my violin.'

"He puzzled us still more when he said, touching his violin, 'This is a lifeless body, and this,' holding up his bow, 'is the soul that animates it.' In the hands of an ordinary performer they are nothing but a fiddle and a fiddle-stick. It was said of such a one,

> 'Old Orpheus played so well he moved old Nick,
> But thou mov'st nothing but thy fiddle-stick.'

"In the hands of a skilful performer it is a living body; it is capable of producing sounds which express all the passions as clearly as they could be expressed by the human voice—joy, grief, anger, hope, resignation, reverence. But to accomplish this the performer must give his whole soul to it; he must be animated by the highest enthusiasm; he must feel that there is between him and his instrument an interchange of intelligence. The sounds his violin brings forth at the solicitation of the performer sometimes seem to him a part of his own being; and it is natural that he should feel toward it as toward an old and valued friend."

The closing years of my father's life were spent, partly at his town residence, No. 3 West Twenty-first Street, and partly at Seafield, his country home. In town he was surrounded by works of art and literary treasures collected about him dur-

ing a long life. His classical studies afforded him never-failing pleasure; and he carried his admiration for the Latin language to such an extent as to use it in his daily devotions. He had a version of the Book of Common Prayer in that tongue, the Oxford edition of the "*Liber Precum Publicarum Ecclesiæ Anglicanæ*," which was always within his reach. Sometimes he was overheard at night reciting the Psalms, or, when in great pain from his disease, repeating his prayers or uttering ejaculations in that language.

On the 29th of May, 1876, we kept the fiftieth anniversary of the wedding of our beloved parents. It was a very quiet family gathering at the house in town. On that occasion a silver vessel made its appearance: a miniature galley, with mast and sail, steered by a fair little maiden, and loaded with new gold-pieces fresh from the Mint. The following verses explained the arrival and mission of the tiny ship; they were in an envelope, addressed to my mother, and endorsed with the words, "Sent ashore by the Pilot:"

"May 29, 1876.

"Dear Kate, how blest our wedded life
Through half a century has been!
Devoid of discord and of strife,
Our days how peaceful and serene!

"If all I owe to you were told,
How poor would seem the gift I bring!
This little bark, though stored with gold
And choicest tributes of the spring.

"The pilot sits in soft repose,
Her forehead drooping o'er her breast;
The sail no rude impulsion knows,
And all betokens peace and rest.

"This bark may serve to symbolize
That which has borne us on our way,
Through storms and under genial skies,
In safety to this welcome day.

"Oh! do not fancy all my heart
Unbosomed with this gift of gold;
If I possessed a wizard's art
'Twould be increased a thousand-fold.

"This bark may meet some transient need,
Some care beguile, some ill abate:
Ours to the better home shall speed,
And bear for us a richer freight.

"Then on until the voyage is o'er,
And we descry the wished-for land,
Where loved ones, who have gone before,
Shall beckon to us from the strand."

A great sorrow came in the following year—the death of my dear brother, John W. Dix, who departed this life April 20, 1877. Constantly with his father, he had made himself indispensable to him, as agent and manager of his private affairs. At Paris he was his Secretary of Legation, at Albany his private secretary; and by his devotion to him, his watchful care of him as strength failed, his perfect knowledge of business, his honesty and integrity, and his fine literary taste and culture, he had made himself a place which no other could fill. His death was a terrible blow to the General; it was worse than the loss of a right arm. The sorrow struck deep, and cast a heavy shadow on the final years. He said to a friend at that time, "I pray God that I may not live to see the death of another of my children."

The summers were spent at Seafield; and I must say a few words about that place before bringing my narrative to a close. I have spoken elsewhere of my father's love for the "south side" of Long Island. His wish to have a country home there was carried out in the year 1870, when he bought and built at West Hampton. The choice of a site was determined by his habits as a sportsman. In the town of West Hampton, in Suffolk County, there is a little bit of a hamlet known as Ketchabonneck; in front of it a neck runs down to the ocean, washed

on the right by the farthest waters of the Great South Bay, and on the left by those of the Shinnecock and other bays to the eastward. He bought the lower end of that neck, and built his house on the very verge of the solid land, as near as a house can stand to the sea without the risk of being occasionally touched by the highest tides. His first intention was to construct a little shooting-box, or mere cottage for sportsmen; but it ended in the erection of a mansion large enough to hold us all, and furnished with every requisite for a comfortable summer home. The place, by successive additional purchases, grew to the dimensions of some fifty acres. The General appears to have concentrated in it all the local attachments of his life; he would, if encouraged, have spent the entire year there. He actually became a resident of the place and a voter in that district, and in his last will and testament he described himself as of West Hampton.

A lane runs down from the public highway at Ketchabonneck to the sea, past the house, and over a bridge between the salt meadows and the beach hills. On the left, and close to the bridge, the General had his shooting-place. It was arranged with the severest simplicity, and not with the luxury falsely imputed to it by a recent writer in one of our public journals. A few armfuls of boughs of scrub oaks, stuck up in the meadow, formed a partial screen, semicircular in shape; and behind these was placed, at first, a candle-box for a seat, which subsequently disappeared to make room for a couple of rough chairs. Outside stood the decoys, stuck fast in a little sedgy pond; and thence opened an immeasurable breadth of sky, in which approaching flocks of birds must inevitably be descried long before their arrival. The General's costume can hardly be described in adequate terms. A more amazing, a more disreputable figure, was nowhere else presented on Long Island, which is to say all that can be said. Obliged to be half the time in the water, wading after fallen birds or adjusting his decoys, he usually wore a suit of India-rubber overalls, to which, when it rained, he added other articles of

"SEAFIELD:" THE COUNTRY HOME AT WEST HAMPTON.

the same material, rendering himself indifferent to the heaviest storm. But ordinarily he completed his attire by a gray tweed coat, which looked older than its wearer, and an enormous straw hat, serving at once as umbrella and sunshade. About his neck hung a whistle, attached to a coarse piece of twine. The only things in perfect order were the guns, of which he generally had two or three at hand, each shining from assiduous care, and each certain death to whatsoever came within its range. So extraordinary an object as the General in his shooting-blind has rarely been seen. He delighted in feeling that no one would imagine it to be he; and again and again was he pointed out to strangers passing by, on their way to and from the beach, as the greatest curiosity of the region. Their amazement generally knew no bounds. Subdued exclamations would attest it thus: "Do you see that man over there? Who do you suppose that is? That's the *Governor;* that's *General Dix!*" "Why, you don't say so! Why, it can't be possible! Well, now, for mercy's sake, do stop and let's have a look at him! *Good gracious!*"

The General spent part of every day in his lair, and was often there all day long; for whenever the birds were flying, or *likely* to fly — which, in his hopeful view, was very frequently the case—he arose about four o'clock, and was in position behind his artillery hours before any one else in the house was awake. Thus he literally lived in the open air, under the blue sky, and exposed to sun and wind and all the vicissitudes of the seasons; and in this way his system became, as it were, case-hardened, as beseemed that of a veteran of wars. I have no doubt that by these habits he added ten good years to his life, and kept up the vigor of his mind, the cheeriness of his heart, and the vivacity of his thoughts even to the end. If we could have known what subjects he revolved, and in what meditations he was engaged, during those days, what an insight should we have had into his active mind, and what a book might have been written!

It was there that the memorable affair of the "thirteen willett" occurred. I do not recall the exact details; but a flock of thirteen large birds came flying across the bays from the direction of Montauk Point, and the General whistled them down to within gunshot, and not one escaped. He was aided, on that occasion, by a gunner whom he frequently employed; between them they bagged the entire flock in less time than it has taken to record the fact; and the affair was mentioned in the local papers and duly applauded by sportsmen. The uninitiated must remember that it was a point of honor with the General never to fire at a bird unless it was on the wing: to take advantage of a moment of rest would have been regarded by him as an act of basest perfidy. So the flock came, and were all shot down, one by one, before they had time to alight among the decoys or to get beyond range of the deadly weapons.

The General, when not at his shooting-box, was usually at the house, attending to correspondence, reading his favorite authors, or amusing himself in the family circle. He played the piano and sung very agreeably; and one summer he spent many hours in drilling some young people in the music of a little charade-play which they were getting up for an entertainment. One song in particular he loved to sing, a Neapolitan boatman's *canzone*, "Santa Lucia;" and he delighted in the choruses of the monks and nuns in the opera of "La Favorita," and would summon three or four of us to sing them with him.

On the 24th of July, 1878, a little *fête* was made at Seafield to celebrate the dear General's eightieth birthday. The weather was perfect; the delicious sea-breeze blew fresh from the sparkling waters; the house and grounds wore a bright and cheerful look; the flag was flying in honor of the day. In the evening numbers came from the surrounding houses to offer their congratulations and good wishes. Among the guests was a loved friend, Mrs. Whitehead, the wife of Mr. A. Pennington Whitehead, of Newark, New Jersey—ever wel-

"SEAFIELD:" AN INTERIOR VIEW.

come, always the very soul of merriment and winsome cordiality. She brought, as her gift, flowers, a laurel wreath, and a copy of verses appropriate to the occasion. Alas! ere a month had passed her sweet spirit had departed, and tears were flowing beside her untimely grave.

The family remained at Seafield that year until the end of October. The General made occasional journeys to town on business; while there he was always our guest at the Rectory. The malady to which I have referred was evidently making progress; notwithstanding his habitual cheerfulness, we could trace its effects in his slowly failing strength. Not until February of the following year, however, did we become seriously alarmed about him. One afternoon I came home with him from my office, at No. 7 Church Street, where he had attended a meeting of the trustees of the Leake and Watts Orphan House. It was the 28th of February, one of those cruel, bitter days with the thermometer down to 8°, and a piercing west wind. He ought not to have been abroad; but nothing would keep him in-doors when duty called him. I saw that, although completely wrapped in furs, he was suffering very much from the terrible air. He proceeded to his office on the following day, as usual, to transact the business of the Church, but came back very ill—and that was the beginning of the end.

Day after day we hoped against hope. The usual variations occurred, now depressing us and again inspiring confidence. I need not follow them; the records of a fatal illness are in their broad outlines the same: there is the same anguish in recognizing what evidently must soon result, the same revulsion of feeling and revival of hope, when it seems that those we love may yet stay with us a little longer. Through the month of March he failed gradually, suffering very much at intervals; but he rose and dressed every morning, and spent each day in transacting business, in reading and study, and in the society of his family and friends. Thus we passed in shadow through the sombre season of Lent. With the

coming of Holy Week there was a marked improvement—so decided, indeed, that his physicians gave us encouragement, and expressed the hope that with the coming of the spring his strength would return, and enable him to pass the summer in comparative comfort. But an unforeseen occurrence blasted these fond expectations. On the morning of Easter Even, April 12, going to the house as usual, I was met at the door by a servant, who, with a frightened face, told me that an accident had occurred. It appeared that on that morning, feeling unusually bright and well and free from pain, he was rising at the usual hour, with some glad words, and about to throw open the blinds preparatory to dressing for breakfast, when suddenly the right collar-bone snapped, as the weight of the body was thrown upon it in his half-recumbent position. He fell back at once upon the bed, and seemed from that moment to resign himself to his fate. Hearing this news, I hurried to his room. He was partially dressed, and in his easy-chair at the table. He received me with a tender and quiet expression of which no one could have mistaken the import; it was that of one who looks Death in the face; unutterably thoughtful and grave, it seemed to say: "I have received the final blow; I can resist the Enemy no longer; I surrender; the end is come."

And so, indeed, it had. That was on the Saturday. The shock to the nervous system was too great for his diminished strength; from that hour he failed rapidly. And yet for several days he attended to his affairs, and to the preparation for the end, receiving his intimate friends, and conversing with them as usual. In an interview with Mr. John J. Cisco he gave him directions about the investment of certain trust funds, and consulted him on some personal affairs; he also continued to sign checks and drafts, as Comptroller of Trinity Church, although his right arm was in a sling and the broken bone in its setting of plaster of Paris. It was a marvellous sight to behold the indomitable energy of the man thus triumphing over weakness and pain, and improving to

the very last the closing hours of this mortal life. Then he expressed a wish to see his old and tried friend and father in God, Bishop Potter, who came to him at once, and, after some conversation, gave him his benediction. Nor did he omit, in those last days, to set the seal of dying words to his life-long faith: he said to us, as we stood beside him, "I believe in God, and have entire confidence in Christ my Redeemer. I am at enmity with no man."

During those painful hours no one heard a word of complaint; he was very patient and very calm. Gradually the pain ceased; he passed into a stage of mental excitement, during which, however, he knew us all, and was very loving and tender with us, but apparently anxious to save us trouble or distress. He understood perfectly all that was going on about him. Finally he became unconscious, sinking into a disturbed slumber. On Friday he sunk so rapidly that the physicians in attendance told us, at ten o'clock in the evening, that he would not live through the night. But they had not taken into account the amazing strength of his constitution, for he survived until the following week. It was, probably, one of the most remarkable cases on record of the persistency of the vital functions after death had actually commenced. For seventy-five hours he took no nourishment whatever, yet the heart and lungs continued their action. It may be said that he was practically dead on Friday evening, the 18th. But he lay, unconscious, yet breathing, while the brave, strong heart maintained its regular pulsation, till Monday, the 21st. Then at last the flag was lowered above the citadel. At half-past eleven o'clock that night the soul departed in peace. Those of us who had been hastily summoned to the bedside knelt by him, while, with an effort which now seems to me incredible, as I recall the trying scene, I commended his soul into the Hands of his gracious Creator and most merciful Saviour, and closed the eyes from which this world had receded forever.

XIII.

CONCLUSION.

THE HONORS TO THE DEAD.—THE OBSEQUIES AND BURIAL.

Personal Communication from the President of the United States.—Meeting of the Cabinet: National Honors.—Message from the Governor of the State of New York: Legislative Honors.—Action of the Courts.—Message from the Mayor of New York: Civic Honors.—Directions for Burial: Military Escort Declined, in Obedience to General Dix's Instructions.—The Funeral in Trinity Church.—Decoration-day, May 30, 1870: Scene in the Church-yard.—Final Interment in Trinity Cemetery.—Conclusion.

XIII.

To recount the honors paid to the dead is sometimes a duty, by way of expressing the thanks of the surviving relatives for the sympathy and affectionate interest disclosed in those sad tributes. It was eminently so in the case of our afflicted house; the wish to say how deeply we were touched, how profoundly moved, by the loving and tender words written or spoken at that time, dictates this acknowledgment of a part of them.

First to reach our home was a personal despatch from the President of the United States, sending a message of condolence from himself and Mrs. Hayes; next came a similar communication from the Secretary of State. On the day following his decease the death of General Dix was announced at a meeting of the Cabinet, and the following orders were issued the same afternoon:

I.

"Executive Mansion, April 22, 1879.

"The President, in making public announcement of the death of Major-general John A. Dix, which occurred during the last night, in the city of New York, desires to commend to the attention of the people of the country the great public services through a long and eventful life of this eminent citizen, and the patriotic record of his military service, both in his early youth and at an advanced age.

"Appropriate honors will be paid to his memory under the direction of the War Department and of the Treasury Department, of which he was at an important period the head, and it is recommended to his fellow-citizens to participate in the general mark of respect to his worth as a private citizen, and to his eminent services as a Senator of the United States, Minister to France, and Governor of the State of New York.

"RUTHERFORD B. HAYES."

II.

"Head-quarters of the Army, Adjutant-general's Office,
Washington, April 22, 1879.

"*General Order No.* 43.

"By direction of the Secretary of War the following order is issued:

"To manifest the great respect of the Army for the memory of Major-general John A. Dix, whose early life was spent in the army, and whose whole most patriotic career reflected honor on his profession and on his country, it is ordered that the flags on all the harbor forts of New York will be displayed at half-mast until sundown of the day of his funeral. The commanding General of the Department of the East will tender a suitable escort to participate in the funeral ceremonies. Minute-guns will be fired from the battery at Governor's Island during the funeral and while the *cortége* is *en route* from his residence to the grave.

"By command of General Sherman.

"E. D. TOWNSEND, Adjutant-general."

III.

"Washington, D. C., April 22, 1879.

"As a token of respect to the memory of the Hon. John A. Dix, late Secretary of the Treasury, whose death has this day been announced, this Department will be closed to public business on the day of his funeral, and the Treasury Building draped in mourning for a period of thirty days. JNO. SHERMAN, Secretary."

When the news was received at the capital of this State the following communication was sent to the Legislature, then in session, by Governor Robinson:

"Executive Chamber, Albany, April 22, 1879.

"*To the Legislature:*

"I announce to the Legislature, with sincere regret, the death of John A. Dix, late Governor of this State. He died at his residence in New York last evening. It seems to me appropriate that the Legislature should give some marked expression of respect for the long, faithful, and honorable service of the deceased. In very early life he left his position in the National Academy at West Point to enter the military service during the War of 1812. For many years he remained in the army, but afterward returned to the avocations of civil life, from which he was again called into the public service, and became Adjutant-general, Secretary of State, and a Member of the Assembly, Senator in Congress, Secretary of the Treasury, Major-general in the army during the late

war, Minister to France, and Governor of this State during the years 1873 and 1874. It is meet that more than passing notice should be given to the close of such a career as this. The example of the scholar, soldier, and statesman whose long and useful life last night reached its end, is worthy of all commemoration. Through his long and distinguished career he led his public life in purity and kept his private character unstained by evil. The lesson of his life is to be learned, not from his discharge of any one of the great trusts committed to his care during the more than sixty years through which his public services extended, but in that steadfast faith, integrity, and zeal with which in all his varied official positions he labored for the public good. Such lives are all too few to be forgotten. I therefore suggest that, in such becoming manner as meets the approval of the Legislature, expression be given to the universal sorrow felt by the people of this State at the loss which they have sustained by his death. L. ROBINSON."

In the Assembly Mr. Husted offered the following resolution, which was adopted by a rising vote:

"*Whereas*, The sad intelligence reaches us that the illustrious patriot and statesman John A. Dix has passed away; and,

"*Whereas*, His name and fame are inseparably connected with the growth and prosperity of our State; therefore,

"*Resolved* (if the Senate concur), That a joint committee, consisting of five Senators and nine Members of Assembly, be hereby appointed to draft appropriate resolutions in commemoration of the noble life and eminent services of the deceased, and also to make suitable arrangements for attendance at his funeral."

The resolution was concurred in by the Senate.

The Joint Committee—consisting of Messrs. Harris, McCarthy, Wagner, St. John, and Raines, of the Senate; and Messrs. Husted, Brooks, Sloan, Strahan, Fish, Bradley, Varnum, Holahan, and Morrison, of the Assembly—made their report April 23, recommending for adoption the following preamble and resolutions:

"*Whereas*, The Legislature has learned with sincere sorrow of the death of John A. Dix, late Governor of the State, and deems it fitting, in accordance with the suggestion of the Governor, and with the universal sense of public loss, to commemorate the lofty civic virtues and

patriotic achievements of the long and illustrious life thus brought to a close in the fulness of time—not like a broken column, but like a complete work; therefore,

"*Resolved*, That in the death of John A. Dix the State loses a citizen whose enduring fame and noble character have shed lustre upon her history. In a career as matchless in distinction as it was worthy in aspiration, he was successively chosen to serve as Adjutant-general, Secretary of State, Member of Assembly, Senator in Congress, Secretary of the Treasury, Minister to France, and Governor of the State. To these varied and exalted trusts he was called by the public sense of his rare gifts and conspicuous qualifications; marking an unequalled public service of more than half a century, he filled them with eminent ability and conscientious devotion to the general welfare. He knew none but worthy aspirations. He made the public good the supreme object. His life was embellished by the graces of culture and ennobled by the dignity of virtue. As a scholar, he achieved an honorable name in letters. As a soldier, he gave his sword to his country in two wars. As a statesman, he added the training of comprehensive study to the vigor of broad understanding; and, as was said of another illustrious American, 'Such was the wisdom of his views and the philosophy of his counsels, that to the soldier and statesman he added the character of the sage.'

"*Resolved*, That the pure and fervid patriotism which imbued his statesmanship and inspired his action shines out as the central and guiding principle of his whole career, and presents an example worthy of perpetual commemoration. In the crisis of peril he emblazoned the thrilling sentiment of the sacredness of the flag in a single electric sentence, and through all trials he made fidelity to his country paramount to all other obligations. His high title to the grateful remembrances of the Republic is that of a spotless patriot.

"*Resolved*, That, through his long and distinguished career, his public life was as unsullied by dishonor as his private life was untainted by wrong. In all his relations to the State and to his fellow-citizens he presented a model of pure purposes, elevated aim, exalted character, and true Christian spirit.

"*Resolved*, That, in testimony of the public loss which the State has sustained in his death, and as a mark of respect for the memory of this soldier, scholar, and statesman, a joint committee of thirteen, consisting of five members on the part of the Senate, and eight members on the part of the Assembly, be appointed by the presiding officers of the respective Houses to attend the funeral of the deceased.

"*Resolved*, That this House do now adjourn."

In moving the adoption of the resolutions in the Assembly, Mr. Husted spoke as follows:

"In proposing the adoption of these resolutions I would most gratefully pay the personal tribute of affection to the memory of him to whom I am so deeply indebted. I would most gladly, too, recite the story of his life—his boyhood, his manhood, and his serene old age. But neither the time nor the occasion warrant me in such a course. The one is sacred to the recollections of private friendship; the other, in general, is known of all men. It is for me to-night to epitomize the salient and striking characteristics of the deceased; to recall to mind the impress that he made upon the times in which he lived; the career that has made his name illustrious; the example that he has set for our admiration, our profit, and our emulation. Born a soldier, the great man whose memory we now honor met on every occasion, during his long and eventful life, the most rigid requirements of that military code which places far in the advance the qualities of personal honor and individual integrity. He responded in full to the double exaction of his favorite classic, for he was both '*justus ac tenax propositi vir*' in all of his public acts and services, and '*homo integer vitæ*' in private and public life alike. John Adams Dix was the son of a Revolutionary sire; and, like the Revolutionary patriot whose name he bore, he was a typical as well as an absolute representative of our national character. Well, indeed, might the man who lived a boy when Washington died—who drew his sword under Madison and sheathed it under Lincoln—in contemplating the birth, the growth, and the grandeur of his country, exclaim, '*Omnia quæ vidi et quorum magna pars fui!*' He has, indeed, 'come down to us from a former generation.' As one of the few, the very few, connecting links now left among us to honor and venerate, he brings with him a record as bright as the golden sunlight, as pure as the rays of the silver moon. He filled with credit and unassailable integrity every position to which he was assigned or called. A cadet at West Point, an officer in the

army while yet a youth, an Adjutant-general, a Secretary of State, a Member of Assembly, a United States Senator, a Secretary of the Treasury, a Major-general in the Army of the Union, a Minister to St. Germain, a Governor of the State—he was in every position the man for the emergency. No man lives to-day so thoroughly equipped as he.

"His executive ability and skill—which were most marked—would have failed in their best results save for his determined will and untiring industry. As a business man he had few equals; as an executive officer, no superior. His faculty of utilizing time was marvellous. Amid the imperative demands of a most active and busy life he yet found ample time for the pursuit of his literary and æsthetic tastes and studies, and became one of the most finished scholars, as he was one of the most polished, terse, and effective writers, of the age. His state papers were prepared with astonishing rapidity and accuracy, and were models of style and expression. His sentiments were as chaste, his diction as pure, his argument as forcible, as his conclusions were irresistible and unanswerable. His abilities as a poet were of no mean order; as a metrical translator he has won an enduring fame. His musical knowledge and his power of execution were the admiration of his intimates. His classical erudition would have enabled him to fill with credit the Latin chair in any university in the land. As an orator, he was graceful, trenchant, and direct. As a political disputant, he was the ally and compeer of Croswell, Van Buren, and Wright, and ranked with the ablest. As a soldier, he was as high-minded and honorable as he was courageous and brave. As a patriot, he was beloved of all men. But, outshining his public record, his earthly honors, and his earthly fame, stands forth in brilliant lustre the unblemished purity of his moral, his social, and his religious life.

"His famous epigram to the naval officer at New Orleans has rendered him immortal; but oh! how far beyond this sentiment of the statesman and the soldier will reach out in their influence on generations to come the dying words of the

Christian saint: 'I believe in God; I have entire faith in my Redeemer; I am at enmity with no man.' If, in reviewing his earthly career, he could say with the poet,

'Exegi monumentum ære perennius,'

so might he with equal truth have added, in the language of the great Apostle who, like himself, was a soldier, orator, and sage: 'I have fought a good fight; I have finished my course; I have kept the faith.'"

Mr. Brooks followed in an impressive address, in which he reviewed the events in the life of General Dix, and enumerated the services rendered to his country and his age; closing by quotations from the *Dies Iræ* and the *Stabat Mater* in a manner appropriate to the occasion.

Mr. Hamilton Fish, Jr., who spoke next, after referring to the public life and acts of General Dix, closed as follows:

"But, Mr. Speaker, my desire is to allude more particularly to the private and home life of the deceased. It was my fortune to enter the Legislature when General Dix was the Executive of the State, and from my position, as a member of his military staff, I was thrown into the pleasantest relations with him. I say, without fear of contradiction or controversy, that his private life, his purity of character, his Christian spirit, and his gentleness commend him as an example to succeeding generations. To have seen him at the family fireside was indeed a privilege.

"Not only a soldier and statesman has gone, but one who was unexceptionable in every walk of life. While we shall ever look to his public career as worthy of emulation, let us not forget those private virtues which endeared him to every class, which he has left as a bright heritage not only to his own family, who ministered so devotedly to his last wants, but to the people of the Empire State, who claim him as their own—

'None knew him but to love him,
Nor named him but to praise.'"

The State Courts in the city of New York all adjourned, except for *ex parte* business, as a mark of respect to the memory of the deceased.

In Supreme Court Chambers Mr. Samuel G. Courtney made the motion for adjournment, and said:

"This morning I received the news that one of our greatest statesmen, a representative man and a former Governor of this State, departed this life yesterday. All over the country it is known through the telegraph that General John A. Dix, a Major-general of the United States Army—a man whose whole heart and soul were devoted to saving the Republic—has passed away. He was a great man—a man, a statesman, a man of letters, and, above all, a patriot and a man of integrity. I deem it but just and proper, as a tribute of respect to his memory, that this Court now adjourn."

Judge Barrett added the following words:

"The Court sympathizes very heartily with all that has been said by Counsel. Ordinarily it is averse to postponing the public business; but when so distinguished a man—statesman, soldier, and citizen—passes away, at a ripe old age, I think it would be very unbecoming if we did not show some signal mark of respect to his memory and appreciation of his worth. The Court, under these circumstances, will postpone until to-morrow the consideration of public business, so far as the calendar is concerned."

In the Superior Court, the Court of Common Pleas, and the minor Courts of this city and Brooklyn, similar action was taken.

The Mayor sent the following communication to the Board of Aldermen:

"Mayor's Office, New York, April 23.

"*To the Board of Aldermen:*

"General John A. Dix died in this city yesterday, in the fulness of his years and honors. He has filled the most important official positions. He has been Governor of the State of New York, Senator and Secretary of the Treasury of the United States, Minister to France, and a General high in rank and command in the United States Army. In all these and

other public trusts he has deserved and had the confidence and approbation of his fellow-citizens. His public career is a part of the history of the country, and his private life has been without reproach. Without enlarging upon the sterling qualities of this eminent man, I respectfully recommend that, in addition to the usual resolutions of respect, your body take such further action as may be appropriate to the occasion.

"EDWARD COOPER, Mayor."

Resolutions in response to this message were adopted, and it was ordered that the flags on the public buildings should be displayed at half-mast on the day of the funeral.

The following communication was received from the Major-general commanding the First Division of the National Guard:

"Head-quarters, First Division, N. G. S. N. Y.,
New York, April 22, 1879.

"*Mrs. John A. Dix:*

"DEAR MADAM,—I have deputed my Aide-de-camp, Captain M. de L. Bouton, to convey to you and your family my most sincere condolence in your terrible bereavement, and to tender, in the name of the First Division of the National Guard of the State of New York, a military escort to perform service at the funeral of your deceased husband.

"Whatever wish or commands you may desire to express will be promptly conveyed to me by Captain Bouton.

"I have the honor to be, Madam, very respectfully yours,

"ALEXANDER SHALER, Major-general."

Letters containing expressions of sympathy were also received from the Board of Port Wardens of the City of New York, the Trustees of the New York Historical Society, the Trustees of the Astor Library, the New England Historic Genealogical Society, the Superintendent and teachers of the Leake and Watts Orphan House of this city (of which he was a trustee), and from many other societies and institutions, here and elsewhere. As for the loving words of individuals, including private friends and persons whom he had bound to himself by various acts of kindness and important services, the time would fail in enumerating the half of those tender and affectionate tributes.

Thus did the country mourn for him; and the desire was generally expressed that his body should be borne to the grave with the demonstrations most striking to the public eye, surrounded by the state and magnificence of military display and the pageantry of a public funeral. But the old soldier, true to himself in death as in life, simple in his habits and averse to show, had given his last Orders before he left us, and gently forestalled the anticipated wishes of his countrymen—knowing what would be in their minds, he modestly directed that it should not be so. A year or more before his decease he placed in my hands a sealed paper, to be opened after his death. I found in it, under date of October 14, 1877, the following directions for his burial:

"1. Provide a coffin of some plain, inexpensive wood, covered with black cloth.

"2. Instead of a black pall, let the coffin be covered during the funeral services with the flag of the United States.

"3. When my remains are placed in the coffin let the lid be screwed down, that they may not afterward be exposed to view.

"4. I desire that no scarfs be provided for pall-bearers or attendants.

"5. Preparatory to the funeral services, I desire that my remains may be taken to Trinity Church, in a hearse, without any procession of carriages, and placed in the vestibule or mortuary chapel.

"6. At some proper stage of the funeral services I wish the hymn commencing with 'Rise, my Soul, and stretch thy wings,' to be sung by a full choir, with the music in Beethoven's Ninth Symphony.

"7. After the services let my remains be placed in the mortuary chapel of the church for the night; and, at daybreak the next day, taken by the sexton, in a hearse, without an escort, to Trinity Cemetery, and buried in the ground, at noon, in the presence of any of my family or friends who desire to witness this closing ceremony. If thought best, my

remains may be taken, after the funeral services, to the Cemetery, and deposited till the next day in the receiving vault.

"8. I wish all parade and all ceremony, except the regular Church service for the dead, to be studiously avoided."

So far as circumstances and the season of the year permitted, his wishes were complied with. The sole variation consisted in this, that his body was first interred in our family vault in Trinity Church-yard, and that it was not removed to Trinity Cemetery until the summer had come. But everything else was as he ordered; and, in obedience to his directions, we declined, though with a high appreciation of the intended honor, the offers of an escort of regular troops and the National Guard.

The funeral took place on Thursday, April 24, at one o'clock in the afternoon. According to an ancient custom of our family, to which the General referred in his final directions, the body was removed from the house during the previous night and taken to Trinity Church, to rest there, within the consecrated walls, until the hour appointed for the service. All day Thursday the flags were at half-mast on the public buildings, on many private residences, and on many ships in the port. Minute-guns were fired from the battery on Governor's Island, and on all the fortifications of the harbor the national ensign was displayed. The crowd at the church was so great as to fill it to its utmost capacity; yet so carefully had the arrangements been made, and so closely had everything been studied, that there was not the slightest confusion. The assemblage was one of the most remarkable ever seen in this city. It included the representatives of the Senate and Assembly of the State of New York; members of the City Government; the Postmaster of the city, with his Staff; the Police, Fire, and Park Commissioners; Assistant Treasurer, General Hillhouse; the Staff of Major-general Hancock; Major-general Shaler and his Staff; the Veterans of the War of 1812; ex-officers of the United States Volunteer forces of the War of 1861–'65; General

John C. Robinson, Commander of the Society of the Army of the Potomac; representatives of the Chamber of Commerce and the Board of Trade; the Port Wardens: the prominent Clergy of the city, of all denominations: delegations from the Army and Navy Club, the Grand Army of the Republic, and many other organizations. As for eminent citizens, well known in our State and national annals, in the professions of medicine and the law, and in the literary world —such, for example, as ex-Governors Hoffman and Tilden, ex-Collector Chester A. Arthur, Samuel B. Ruggles, Robert C. Winthrop, Frederic de Peyster, Henry Bergh, and President Barnard—their names, if fully recorded, would fill page after page of this work.

The Governor's Staff of 1873–'74, headed by General John F. Rathbone, came to follow their old Chief to his grave, and went in procession with the gentlemen of the Vestry of Trinity Church. The pall-bearers were Messrs. John Jay, Edwards Pierrepont, Thurlow Weed, Edward Cooper, John J. Cisco, A. A. Low, General Cullum, E. D. Morgan, Cyrus W. Field, Charles O'Conor, Judge Daly, and Rufus Gilbert. The Clergy of the parish met the body at the lower end of the church, and assisted the Right Reverend the Bishop of New York in the office for the dead. All was conducted simply, reverently, impressively. The hymn which he loved was sung; the rich melody of the music filled the air with joyful sounds; the full sunshine of high noon blazing through the windows cast the colors of the rainbow over the altar and its reredos, and lit up the ensign which covered the coffin. The aged Bishop, with a voice full of emotion, committed the body of his life-long friend to the keeping of our holy and most merciful Saviour. For a time all the congregation stood hushed to silence, and many in tears, while from the organ pealed the awful cadence of the Dead March in "Saul," through which at intervals the boom of the distant guns was heard reverberating from the Bay. When all was duly finished in the church the body was reverently borne to the

vault on the south side, just in line with the priests' door at the western end of the edifice, and there laid to rest.

On the 30th of May following, it being "Decoration-day," a memorable scene was witnessed in Trinity Church-yard, about three o'clock in the afternoon. It was a perfect day of the early summer; the grass was springing freshly; the trees in full leaf; the arches, buttresses, and pinnacles of the great church towered silently in the air like walls of defence around the place of rest; and far above and over all was the blue sky, full of light and sunshine. In that place and at that time friends and former companions came to decorate the grave of General Dix. About two o'clock in the afternoon a long procession set forth from the Post-office, formed in four divisions. The first of these divisions consisted of the Postmaster of New York, Thomas L. James, with his personal Staff; his assistant, Henry G. Pearson, and the heads of division and superintendents of departments; the remaining three divisions consisted of employés in the Post-office and letter-carriers, some eight hundred in number. All were in uniform, and preceded by the band from Fort Columbus, Governor's Island. Mr. James was accompanied by several invited guests of distinction, among whom were ex-Lieutenant-governor Robinson, and General John N. Knapp, formerly of Governor Dix's Staff. Passing through Printing-house Square, where they placed flowers on the statue of Benjamin Franklin, they proceeded to Trinity Church. There the first division entered the church-yard and reverently surrounded the Morgan vault, where the body lay. While all stood in silence, with uncovered heads, a floral monument of rare beauty, guarded by four one-armed veterans of the late war (now carriers in the Mail Service), was borne into the church-yard and placed upon the grave. This exquisite piece of work, a four-sided pedestal, some three feet high, consisted

of panels of white immortelles, with base, shafts, and summit composed of many-hued flowers, while on top of all lay a closed book, a sheathed sword, and a laurel wreath. The panels bore, in black immortelles, inscriptions as follows:

JOHN A. DIX.

SOLDIER, STATESMAN, PATRIOT.

"I HAVE FOUGHT THE GOOD FIGHT.
I HAVE KEPT THE FAITH."

The book and sword were formed of purple, black, and yellow immortelles; and draped about the monument was the old flag of the United States revenue-cutter *McClelland.*

General Knapp then said: "We come to this patriot's grave with uncovered heads and floral offerings because of the profound respect in which we hold his memory and the cause he served. God gave him length of years, grand opportunities, and great gifts. The record of his life is an honor to the human race. In after-ages, when these surrounding marble shafts and tablets shall have crumbled to dust, the name of John A. Dix will live in the regard of his countrymen as the synonyme of enduring faith and unstained honor."

At the close of General Knapp's address the division moved to the north side of the church, where Postmaster James laid a wreath on the grave of William Bradford, the first printer of New York, who died May 23, 1752.

The first division then entered the church, where the three other divisions were already seated. The edifice was filled from end to end, from side to side, by the officers and men, a reverent, orderly congregation. Evening prayer was then said, the choir singing, in addition to the usual parts of the service, the General's favorite hymn, to the music which he loved, as they had done on the day of his funeral:

"Rise, my Soul, and stretch thy wings,
Thy better portion trace;
Rise from transitory things
Toward heaven, thy destined place;

Sun and moon and stars decay,
Time shall soon this earth remove;
Rise, my Soul, and haste away
To seats prepared above.

"Cease, my Soul, O cease to mourn,
Press onward to the prize;
Soon thy Saviour will return,
To take thee to the skies.
There is everlasting peace,
Rest, enduring rest, in heaven;
There will sorrow ever cease,
And crowns of joy be given."

A brief address, delivered after the service, ended with these words:

"How beautiful is the custom observed through the land to-day—this visiting, thoughtfully and with measured steps, the sleeping-places of the departed! We cannot think of them too often; there is no plainer duty than that of fidelity to our dead. To guard their mortal remains from desecration is not enough; we must keep their dear memory fresh in our hearts. This festival, therefore, has a moral power: it is much more than a sentiment; it is part of our education. Let them never be forgotten who sleep in the dust of the earth—least of all those who loved their country even to the death, and fell in their prime, or in the fulness of their years, for her sacred cause. Impious indeed were we, and unworthy of remembrance when we ourselves shall have passed away, did we permit the sordid cares of life or a selfish individualism to obliterate the trace of our old affection and desire for those who, with us once, are now seen here no more. A national commemoration like this helps the whole people; and it could not come more appropriately than in the spring-time of the year, and when the gates of summer unfold before the steps of men. Nay, we may deem them fortunate who are called home in the early spring; so that the weeks, slowly moving forward, bring, not shortening days and darkening

skies, and long nights of gloom, with frost and sleet, with hail and hopeless drifts of snow piled on the forms once dear to us, but fresh grass, and budding shoots of trees, and the emerald of the young leaf, and the thousand hues of flowers, with the song of birds which build their nests and rear their young; and the long summer afternoons, and soft and dewy nights, through which the departed seem to sleep in God, in deep, still peace. So may they rest whom the Nation honors, and whom good men hold in remembrance—they about whose graves their comrades in arms have gathered, thinking of the past and its stirring scenes. So may their bones rest undisturbed till God shall bid them live once more; and may their spirits rest near His own presence in light perpetual! And year by year may the people cease from toil one day, and think of the good and brave, the loyal and the true, the noble men that are no more, and meditate on solemn themes—on life, death, and eternity — while the thoughts are of peace, and the sound of the battle is hushed, and the din of arms is past."

It remains only to state how and when the General's last orders were fulfilled.

On Saturday, June 28—being the eve of St. Peter's-day —the vault in Trinity Church-yard was opened, at three o'clock A.M. Precisely at sunrise, when the morning gun was fired from the forts, the coffin containing the body was taken up. Thence it was conveyed, without escort, to Trinity Cemetery; and there, at the hour of noon, in the presence of two or three persons only, it was buried in the plot belonging to the writer, and in the spot which he had previously pointed out to me, requesting that it might be his final resting-place. All these things were reverentially fulfilled, in compliance with his written instructions, and with special reference to the hours of the day at which he desired that everything should be done.

"REST ETERNAL GRANT TO HIM, O LORD,
AND LIGHT PERPETUAL SHINE UPON HIM."

My work is finished. I bring it to an end with a deep sense of its imperfections, and with the old wish that some one else had compiled these memoirs. I have done, not what ought to have been done, but simply what I was able to do, straitened and circumscribed, as usual, by manifold duties and cares, with little spare time and no literary leisure. Yet, after all, the man whose life and acts have been recorded in these pages is really the speaker; it is he, rather than his unworthy biographer, who teaches us, from the place where his venerable head now lies low, or, rather, from the region into which his soul has passed, such lessons as may be drawn from his example and from the annals of his mortal life. Reflecting on that life; recalling its modest beginnings, its steady development, and its solid achievements; the industry, self-denial, and patience of the man; the improvement of good native abilities and the accumulations of years of toil; his fidelity to duty and his loyalty to principle; the soundness of his judgment and the just balance of his thoughts; the simplicity of his character and his winsome personal traits; considering the range of offices well filled and obligations well discharged, from boyhood, through youth and manhood, to old age;—reflecting on all this, I find the elements of a picture of what a Man ought to be—the portraiture of the son, the husband, and the parent; the soldier and civilian; the student and the scholar; the patriot, the Christian. And because, while musing on these things, the heart will protest against that ruthless Power which reigns in this imperfect scene, and tears will gather in the eyes for grief at what we lose, or seem to lose, day by day, another thought arises, bringing consolation—a thought which banishes the terror inspired by the alleged victories of Death—a reflection in which vain regrets are stilled, as hope dawns through the shadows which veil the road of life. It comes on the soul with the force of a demonstration that the story of each and every noble life contains the proof of our immortality. For, although a life in which gifts and graces multiply with each added year; which is

more profitable to the commonwealth and more delightful to loving eyes the longer its term is extended; whose movement is like that of a stream, from small to greater volume, beginning with the mere light rippling of thoughtless childhood, deepening from point to point, broadening through the world's ample field, and reaching at last the strength and fulness of intellectual power, vast experience, and matured spiritual and moral wealth — although such a life seems to come to an end in a day or a moment, to vanish as a vapor, to be as water spilled on the ground which cannot be gathered up; yet appearances deceive us, and we are compelled to confess that they do: the spirit, indignant, refuses to admit that this can be the end. Such lame and impotent conclusion comports not with what has been and might obviously be; nor is it discourteous to apply to him the epithet of the fool, who pretends to think that these royal images of the immortals are actually, in their exit from the mortal stage, no happier than the beasts that perish. It cannot be. Heart and mind alike cry out against an opinion so irrational; they find, on the contrary, in the life and character of any true and noble man, what comes as near as possible to a demonstration of his immortality. Of this, at least, we are sure: that he came not here by chance, that he was not the author of his own being, that he had nothing which he did not receive. Whoever He may be that made this man to live, that endowed him thus, that led him up to what he actually became, with greater possibilities unrealized in the very hour in which Death cut short the onward march, it is irrational to suppose, and impossible to believe, that this mysterious Power can be ultimately defeated in his designs, that He who carried His work to that point did permit it, then and there, to be lost in eternal night and silence and quenched in oblivion. Against a notion so monstrous the soul instinctively rebels; the true faith on that point still dwells deep in the large mind and affectionate heart of the American people. To them their Dead still live—not in memory only; not merely as the re-

cipients of such honors as might be paid, for form's sake, to the storied urn or bust; not merely in the archives of the Government and in the roll of honor of a grateful nation; but, in a higher sense, they live—in a personality which survives the shock of material dissolution. It is still true of our countrymen, who have neither forgotten nor denied the faith of their forefathers, and in whose veins still flows the blood of a hardy and religious race, that they believe in GOD, and that he is not the GOD of the dead but of the living. Wherefore we derive, from the examples of our statesmen and patriots, who loved and lived for their country, and gave her their best, a double measure of refreshment and strength. They bid us work, and trust, and be faithful, thus imitating their manliness; what is more important, they bid us believe firmly in their immortality and in our own. To us, perplexed by earthly voices or misled by the unwise, it may not always seem so; they may appear to have departed to return no more; and the physical process, judged of by its phenomena, seems to enjoy a vitality which was not in them. Years pass by; years on years follow, silently vanishing; the seasons go and return; the grasses are renewed from spring to spring, and from winter to winter falls the snow upon the sleeping-places of our friends. The sun ariseth as when their eyes beheld it; he sets in the red west, to return on the morrow; yet they come not. The waves to which, with us, they listened still break on the coast, their deep roar filling the air as of old. The innumerable stars of night look down just as when we watched them together in the departed years. Yet what we see and hear deceives us—after all, the things invisible are the true. These sights and sounds about us are transient; the fixed elements in GOD's universe are the men who lived here once and are living still: the Unseen Realm holds them; there they are free, and thence do their spirits rule us —not, as the poet feebly says,

"From their urns,"

but from their own immortal seat: the men who held the secret of the "gentle life;" who spared not themselves, but gave themselves for their brethren; who lived the life of Love and Sacrifice; whose best monument is in the hearts of their own who hold them close in God. Of such men, according to the measure of his ability, was he whose story, told by a son who loved him and still loves him, is now offered to his countrymen, with the hope that the name and memory of their departed brother may be preserved among them as long as the Republic, foremost in arts, secure in arms, and crowned with the fruits of Christian civilization, shall stand unshaken among the powers of the earth.

JOHN A. DIX.

STATESMAN—HERO—SCHOLAR—GENTLEMAN.

[The following verses, by Mrs. John Sherwood, appeared in the *Evening Post*, not long after my father's death.]

WHAT was the secret of this ample life—
The long success which followed eighty years?
Why came to him such honor and renown?
Well may the nation ask it, 'mid her tears.

Was it great genius? That but rarely wins
Save a poor laurel wreath beset with thorn.
Was it a mastery of the statesman's art?
What has that brought but envy, wrath, and scorn?

Was it his scholarship, profound and deep,
That had brought peace and joy, but not renown?
Was it his manner, courteous and refined,
Which won the nation while it charmed the town?

Was it his courage, and that ringing phrase
Which struck the Northern heart and found it true?
Or fervent piety, or, unknown, unsung,
Some talent rare, some combination new?

Men thought he had too much, as one by one
All unsolicited the honors came.
Perhaps they scoffed, as still the changes rung
And titles gathered 'round one simple name.

But he with greater honor filled each place,
Returned still better the unasked-for trust;
Marched with a soldier's spirit to the front;
To-day obeys the mandate, dust to dust.

Was it humility, unselfish life,
A love of nature and of innocent joy,
That kept his heart at such a healthful beat,
Left him the pulse and laughter of a boy?

There was no grudging envy in that mind;
He liked to help, to utter words of praise;
There was no avarice in his generous hand,
Stretched not to injure, but to help, to raise.

Brave as his sword! a true Damascus blade,
Blazoned in fire—the brighter for the fray;
'Tis usage tries the temper of the steel:
Life proved thy temper, hero of to-day.

APPENDIX.

I.

(Vol. I., page 107.)

MR. CALHOUN AND THE PRESIDENTIAL CAMPAIGN OF 1824.

In the year 1824, as the time approached for choosing electors of President to fill the vacancy about to occur by the retirement of Mr. Monroe, an earnest desire was felt by the friends of Mr. Calhoun that he should be elected to the Vice-Presidency. The friends of Mr. Adams, confident of his election, had objected to this disposition of Mr. Calhoun, on the ground that the Vice-Presidency did not furnish a proper theatre for the exercise of his talents, and that it would be much better to provide for him in the Treasury or State Departments, at his option, where his services would be more beneficial to the country and himself, and where he could better aid, by the force of his character, in sustaining the Administration of Mr. Adams. They had farther urged that the friends of Mr. Adams were already committed to General Jackson with regard to the Vice-Presidency, that his name was on their ticket, and that it was important, from the influence of his popularity, to keep it there. The first of these objections was repelled by the following arguments: that it was rather the man who gave character to the office than the office which gave character to the man; that Mr. Calhoun was certain of sustaining in any situation the reputation which he had acquired; that the State Department, under Mr. Adams, who would be likely, from his long familiarity with its details, to retain the virtual management of them, would not be a desirable station; and that the Treasury Department was, in the view of the public, a subordinate station. On these grounds the friends of Mr. Calhoun would prefer to see him Vice-President. To these reasons is to be added a secret conviction, which I myself felt in common with others, though not to the same degree with all, that Mr. Adams was ill calculated, from the temper of his

mind and his ignorance of men, to manage the affairs of government with discretion and calmness; that he would be liable to fall into error; and that, if his career should be disastrous, he would involve in his downfall those who were immediately connected with his Administration. All these views, excepting the last, I frequently and fully discussed during the spring of 1824 with several of Mr. Adams's friends, particularly the Hon. John W. Taylor, of New York, who was very desirous that Mr. Calhoun should consent to be a member of Mr. Adams's Cabinet. On this point he observed he was not authorized to say anything for Mr. Adams—that he had never held any conversation with him on the subject—but from his knowledge of Mr. Adams's sentiments in relation to Mr. Calhoun, and the general observations which Mr. Adams had often made, he had no hesitation in saying that Mr. Calhoun might have anything under him which he might elect.

Toward the end of the autumn of 1824 the progress of General Jackson had been so rapid as to excite a general feeling of alarm throughout Mr. Adams's ranks; and it was the opinion of many of his friends that the support which the former had received from them for the Vice-Presidency was indirectly operating in his favor as a competitor with Mr. Adams for the Presidency. On this subject I had several conversations with Mr. Calhoun, and frequent conversations with General Brown, of whose private as well as military family I have long been and still am a member. The former conceived the course of Mr. Adams in sustaining General Jackson for the Vice-Presidency to be exceedingly indiscreet, because he was arming General Jackson with power to be turned against himself. He spoke of it only as bearing upon Mr. Adams. He thought with his friends that the course dictated by Mr. Adams's interest was to support him (Mr. Calhoun) instead of General Jackson for that office. He said he could never himself, under any circumstances, become a partisan of General Jackson or Mr. Adams; his own character, and the whole tenor of his public life forbade it: he could be the partisan of no man. He could not, and should not, stir a finger between them. He considered them both men of virtue, not only qualified but disposed, if elected, to administer the government upon the same principles, and to sustain the system of measures adopted under the Administration of Mr.

Monroe; a system with which he was identified—with which he should rise or fall—from which he could not turn aside to espouse the cause of any man or set of men.

Between individuals as connected with measures he had always taken a bold and decided part—he had openly and with all his influence opposed Mr. Crawford and his party, because he sincerely believed their system of measures calculated to degrade the country and impair its energies. He was defeated; the question of principle was settled: the question between Mr. Adams and General Jackson was a personal question, and in it he could take no part. It was, however, submitted by him, as the subject had been brought before him, to the reason of Mr. Adams's friends whether they would not more effectually promote his interest by connecting his (Mr. Calhoun's) name with him as Vice-President than the name of General Jackson. He had never considered himself at the disposition of the public; it was the opinion of his friends that he could be more useful to the country and himself in the Vice-Presidency; his own opinion was in accordance with theirs, and he was, therefore, resolved to stand before the people, where he had been placed, as a candidate for the office. Such is the substance of the conversations I had with Mr. Calhoun on this subject. He always held the strongest language in relation to his resolutions of neutrality; and I cannot recollect an exception from which I was authorized to infer that he preferred Mr. Adams to General Jackson, or General Jackson to Mr. Adams. The only observation I can recollect, from which any inference could be forced, was that the course of Mr. Adams's public life must be considered as giving him in some respects an advantage over General Jackson in administering the government. But with regard to a situation in Mr. Adams's Cabinet, he more than once said, in expressing his determination to decline all overtures to that effect, that he had serious doubts of Mr. Adams's ability to sustain himself; there was danger that he would err, and that those who were connected with him might find themselves responsible for measures in which they had no share. His knowledge of Mr. Adams's peculiarities of temper justified these apprehensions, and he could not consent to become a member of his Administration.

In October and November, 1824, General Brown had fre-

quent conversations with Mr. Adams, as the mutual friend of Mr. Adams and Mr. Calhoun, on the subject of associating their names on the same ticket; and, at the same time, I had almost daily conversations with General Brown on the same subject. At his suggestion I addressed several letters to Mr. Taylor on the subject, both before and after the determination was formed to substitute Mr. Calhoun's name for General Jackson's on Mr. Adams's ticket. With Mr. Taylor I had long been in habits of friendly intercourse and correspondence; but these letters were written expressly at the suggestion of General Brown. It is a fact very generally known that the general is so disabled by the paralytic affection, under which he has been laboring for more than three years, that he writes only with his left hand, and with great difficulty. His confidential correspondence has been carried on almost exclusively by myself, and in the communications with Mr. Taylor, to which I have just referred, I spoke his sentiments and not my own. In opening a correspondence of this sort with any individual, I have always been careful to state that I was merely acting as the amanuensis of the general, though I may not have deemed it necessary in every succeeding communication to state my authority. I consider it impossible, however, that any one of my correspondents could have labored under any misapprehension on this point.

In my correspondence with Mr. Taylor I remember distinctly that expectations were held out which my conversations with Mr. Calhoun did not warrant. It is due to truth to say that they were derived from my conversations with General Brown, and given upon his authority. He certainly did think that Mr. Calhoun secretly preferred Mr. Adams to General Jackson; but I am compelled to believe that this impression was the work of his own sanguine and enthusiastic temper, and that it was not authorized by any assurance on the part of Mr. Calhoun. A review of the whole ground forces this conviction upon me, and I am confirmed in it by recent conversations with General Brown himself. The tenor of Mr. Calhoun's conversations with the general, as repeated to me by the latter, is in accordance with all Mr. Calhoun said to me. He left it to Mr. Adams's friends to act as their interest dictated, maintaining himself an attitude of neutrality between Mr. Adams and General Jackson. It is to be remembered that General Brown, al-

though the friend of Mr. Calhoun, was also, and still is, the warm friend of Mr. Adams; that he has done everything in his power to promote his election; and those who know him well are aware that his warm and generous devotion to his friends—a trait of character in which he is excelled by no man living—has sometimes biassed his judgment in favor of his wishes. In my correspondence with Mr. Taylor I was governed by his impressions, and can only be held responsible for communicating them correctly. My letters were always submitted to him before they were sent, and error of this sort is, therefore, not to be presumed. I have made this statement in consequence of an intimation recently made to General Brown that my correspondence with Mr. Taylor may, in case of necessity, be used to establish the fact of a pledge on the part of Mr. Calhoun to support the election of Mr. Adams. I do it from a sense of duty to Mr. Calhoun, and to put the whole transaction on its true ground. I do it of my own motion, and without the knowledge of any person whatever. That General Brown was betrayed by the warmth of his feelings into opinions which his conversations with Mr. Calhoun did not authorize, I cannot doubt. That I should be equally in error is less remarkable. I supposed—what I can no longer believe—that Mr. Calhoun had given General Brown assurances which, from my youth, he had not thought proper to confide to me. It will not be considered surprising that these impressions were so readily adopted by me, when I acknowledge that my own wishes were in accordance with them; that, although I have never had any personal preference for Mr. Adams, and although I am well aware of his defects of temper, I have considered him better fitted by the course of his experience than General Jackson to administer the government. JOHN A. DIX.

Washington City, February 20, 1825.

On this paper is the following endorsement:

"Cooperstown, New York, November 17, 1828.

"The above is a copy of a memorandum made by me, and specified in order to guard against any misrepresentations of a transaction therein explained. I have never communicated its contents to any one, excepting a friend in New York, and that in the year 1826, more than twelve months after it was written.

In September last I thought proper to apprise Mr. Calhoun of the existence of such a paper, and it is now for the first time communicated to him, to be put on file among his papers, and to be used whenever it may be necessary to repel unfounded imputations in relation to the matter of which it treats.

"JOHN A. DIX."

II.

(Vol. I., page 156.)

LETTERS RELATING TO THE CANADIAN REBELLION IN 1837.

Thomas G. Ridout to John J. Morgan.

Toronto, December 19, 1837.

MY DEAR SIR,—The extraordinary events which have taken place here and throughout this Province within the last fortnight have, no doubt, excited a good deal of interest at New York, particularly with yourself and Mrs. Morgan. I am now happy to say that the insurrectionists are entirely broken down and dispersed, several hundred infatuated men being taken prisoners, and the principal leaders either concealed or fled to the United States.

Among the latter Dr. Rolph is included, as well as Mr. Bidwell, both formerly friends of Dr. and Robert Baldwin. I understand that they have gone down to New York; and as you might still suppose that their friendship continued, I think it but justice to Robert to let you know that Dr. Rolph, before his departure, acted a very treacherous part toward Robert Baldwin, on the occasion of being bearers together of a flag of truce from the Governor to the rebels, on Tuesday, the 5th instant; for it appears that, after delivering their message and receiving a reply, Dr. Rolph lingered a few minutes behind Robert, and took that opportunity to advise the rebels not to lose another half-hour in making their attack upon the city, from which they were only one mile distant. This advice, it seems, they had not courage to follow; and the doctor, finding that the rebels had lost their only chance of success, decamped from town that very night, and made his escape across the river

Niagara. He went on horseback, and was twice stopped on the road by parties of our militia; but, telling some very plausible story respecting his journey, they let him go. His papers have since been seized, and it is discovered beyond a doubt that he was the prime mover of all our disturbances.

Mr. Bidwell left the Province at his own request, and with the Governor's permission. It is supposed that he is in some degree implicated. At all events, suspicion attached to him, and it was the most prudent course he could take.

Robert Sullivan and his family have moved into town, and are staying at the doctor's, as he was threatened with destruction had he remained in the country, and is even now afraid that his house will be burnt. Augustus is a lieutenant in the militia, on duty at the garrison, and Henry has attached himself to the bank guard. We consist of a *Spartan* band of thirty dreadful fighters, with sixty stand of arms and two thousand rounds of ball cartridge, a week's supply of provisions, wood, and water; doors and windows barricaded with eight-inch timber, having every convenience in the way of loop-holes, etc. For the first three days (viz., 5th, 6th, and 7th of December) we held the bank with a devoted garrison one hundred and twenty strong—all doomed men, in our own opinion—and occupied three of the nearest houses with eighty more. However, we were in little or no danger after the first night, having then only eighteen men in the building; and had the rebels marched directly into town, as they first intended, they might have succeeded, as we had only two hundred and fifty men under arms, and those very much scattered. Their booty would have been great, as we had in this bank alone $600,000 in gold and silver coin; there were besides six thousand stand of arms at the City Hall, and large quantities of ammunition and public stores of every description, besides two field-pieces at the garrison, with only twenty men to guard them. The prisoners now say that their first attack was to have been made upon the Bank of Upper Canada, and that Mackenzie had promised them for their share £40,000 of the plunder, reserving the remainder to carry on the war. The next night (viz., Tuesday, the 5th) we were pretty well prepared, having a force of ninety men in the bank, and the doors barricaded; and on the following day we completed the defence of our windows under the directions of Captain Ma-

caulay, of the Royal Engineers, so that we felt confident that with a garrison of one hundred and twenty or one hundred and fifty men it could not be taken by two thousand without the aid of artillery. We remain in the same state still, as matters are not yet quite settled; but it puts us to great inconvenience, as our rooms are all turned into barracks, and Mrs. Ridout and the children are huddled into one apartment. They returned here about a week ago, all more or less unwell, as they had taken cold when they turned out of bed and left the house on the Monday night.

The Government has several thousand militiamen embodied in the Province; of these about a thousand are in our garrison. Mackenzie, with two or three hundred of his deluded followers, and some people from Buffalo, are on Navy Island, just above the Falls of Niagara. It is almost impossible that he should escape.

The accounts we have from Lower Canada promise a speedy end to the rebellion in that Province; and we trust that in the course of another month all will be pretty quiet.

Captain Baldwin was in the bank a few minutes ago. His family are all well. The Captain did duty as one of our guard with his musket; he could not go home, as a party of the rebels occupied his house.

With my remembrance to Mrs. Morgan, I remain, ever yours,

THOMAS G. RIDOUT.

John A. Dix to Mrs. John J. Morgan.

[*Private.*] Albany, December 24, 1837.

MY DEAR MOTHER,—No one, I am well assured, can take a greater interest in Canadian affairs than yourself; and as circumstances have put in my possession some information which you will be pleased to receive, I proceed to communicate it to you — under the seal of privacy, however, as a part of it is known to me only officially.

In the first place, I may as well say that the outbreak in Lower Canada is at an end. It originated as I have already explained to Mr. Morgan. The severities alleged by the Montreal (Royalist) papers to have been practised against the patriots I have now no doubt were exaggerated, and that the object was, by the high coloring given to their accounts, to

strike terror into the minds of the disaffected throughout the Province. I am glad that it is so, though I think those statements were calculated to excite as much indignation as terror.

In Upper Canada the movement made by Mackenzie was without preparation and without consultation, excepting with his immediate followers. It very naturally failed, as Dr. Rolph, Dr. Baldwin, and Robert, and Mr. Bidwell were not concerned in it; and it is to them that the Liberal party have been accustomed to look for advice and direction. I had a letter yesterday from Mr. Bidwell, dated at Lewiston. He is there closing his concerns, having left the Province at the personal request of Sir Francis Head, not because there was any suspicion that he was concerned in Mackenzie's movement, but on account of his political opinions and supposed influence. He says the request of the Governor was made with great kindness of manner, and with assurances of personal regard and esteem. His object in writing to me (it is the first letter I ever received from him) was to ask me to aid him in procuring his admission as Counsellor at the Bar of the Supreme Court in this State. He says that the doctor and Robert are unmolested, and that they will not be touched. I need not say how much we all rejoice at this intelligence, on your account as well as on theirs.

When the disturbances commenced in the Canadas it was foreseen that the result would be to drive many individuals into this State, and it became an early matter of interest and inquiry as to the course to be taken in case they were demanded of us. I examined the subject carefully, and was satisfied that there could be no hesitation about the duty of the State Government or its citizens. Our neutrality was to be maintained; but our sympathies were free, and a refuge was due to all who should seek it within our territories. The Governor's proclamation, which was issued on a communication from the Mayor of Buffalo, was drawn in conformity to the view above given of our political and social duties. The very day it was issued a communication was received from Sir Francis Head, which would have called forth a similar paper, if the Mayor of Buffalo had not anticipated him.

The day before yesterday the Governor received communications from Sir Francis Head by a special messenger demanding the surrender of Mackenzie. The requisition has been

denied. It would have been denied on general principles; but Sir Francis, very singularly, sent with his requisition documents and statements which rendered it impossible for the Governor to grant the application. This case disposes of every other question as to the surrender of fugitives. Mackenzie, as Governor Head admitted, was at Navy Island, in the Niagara River, and within the British territory, with an armed force. By-the-bye, I consider his position as a ridiculous one, and have no doubt that he will soon break up and retire. His only chance of success was by boldly advancing into the country.

There has been, as you may suppose, a good deal of feeling here in relation to these movements. It has even extended, as indeed all public excitements do, to the schools. Morgan's outbreak of sympathy in his letter shows this. However, Mr. Duff is a warm Royalist, and discusses all matters freely with his scholars, who regularly divide into parties.

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Will you say to Mr. Morgan that I do not despair of the people. On the contrary, I have full faith in their triumph. But I believe a few men in this State have it in their power to defeat us next fall. Things may, however, assume a better aspect before the winter is over.

We shall be very glad to see Mr. Freeman. We should ask him to come directly to the house but for reasons which it is unnecessary to explain to you, and which we cannot explain to him. Mr. Morgan and you must choose a picture. As to myself, most of the contributors united, at my request, in providing him with the means of making his tour, and my choice must be last. Do remember us cordially to him. I should write him, but do not know whether my letter would reach him. We only heard of his arrival the evening before last. We are all well, and all unite in best wishes and prayers for yourself and Mr. Morgan, with many happy returns of this festive season.

And now, my dear Mother, I should make some excuse for writing such an unreasonably long letter as this if I were often in the habit of doing so. But, as they come rarely in such an extended shape, I offer no other than that of a desire to communicate what I thought might be acceptable.

With best remembrance to Mr. Morgan, I am, most affectionately, your son, J. A. Dix.

John S. Baldwin to John J. Morgan.

Toronto, December 30, 1837.

MY DEAR FRIEND,—After wishing you and Eliza many happy returns of the season, in which Anne joins, I think I must give you some little account of our state of anxiety and alarm during the present month.

After insurrection broke out in Lower Canada—which was certainly the production of a French faction, who have a deadly hatred to everything British, and of which, it seems, nothing human will ever deprive them—these leaders lost no opportunity of keeping up a correspondence with some discontented and infamous characters among us who for years past have been keeping up a constant excitement under the name of *reform*, and hypocritical slang of wanting the British Constitution here in its true colors, etc.; but, with this on their lips and infamy in their minds, it was self-aggrandizement and plunder they all had in view. They succeeded in some of our back townships to bring their plans to such a state of maturity, and to act in unison with the rebels of Lower Canada, that on the night of the 4th instant our city was suddenly alarmed with the cry, "The rebels are coming down Yong Street, a thousand strong, all armed!" Some said fifteen hundred, others only five hundred—it was impossible to say how many; only one thing is evident, that they would not have come had they not numbers sufficient to take and keep the city, in their estimation. They came within three miles of the town, and found that the citizens were all on the alert and armed; and that had they attempted an entrance many lives would have been lost. By four or five o'clock in the morning everything was prepared for fighting. The rebel forces halted, and never came near the town (except afterward as prisoners). On the following Thursday our Lieutenant-governor headed about fourteen hundred men, with some artillery, and went up Yong Street to give them battle. They soon met; and the rebels, after leaving sixty men dead, fled into the woods in all directions, so that they could neither be pursued nor taken. The ringleaders escaped, and were never able to rally after it. Mackenzie made off to the States; and Dr. Rolph, knowing his own guilt, and finding his friends were defeated, mounted a horse and rode off to the lines with all speed. He

was not gone many hours when his treason was found of so black a kind that two thousand dollars was offered for his arrest. Mr. Bidwell also was found so implicated that he was told to leave the country immediately, under a provision in bond never to return to it. Many arrests have been made. Our jails are full, and no doubt several will be hung, among whom is one Morrison, a member of the House of Assembly; and Dr. Rolph and Mackenzie would be hung if they could be taken. There was some movement also made in our London District in unison with the others, but it ended in nothing; and I can assure you that there is not now a single band of rebels under arms in either Province from one end to the other, save and except about one hundred or one hundred and fifty runaways who are on a small island in the Niagara River, and who first went to Buffalo, where they have been joined by several hundred Americans, and have taken possession of that island, which belongs to Canada. On this spot they have been provided with nine pieces of brass cannon and some iron ones from arsenals in the State of New York, also with muskets, powder and ball, and all sorts of munitions of war, together with money and provisions, and their numbers are now stated to be eight hundred or a thousand men—most all American citizens—among whom is one of the Van Rensselaers and others, I am told, of distinction. What this may lead to I will not here pretend to say; but this I can venture, that when we are now all quiet, the idea of an invading foreign force is one of the first things to unite the people. And I must just remark the proud feeling all true friends to the country have in thinking that this vile insurrection was put down without a single British soldier in Upper Canada.

Yours truly, J. S. BALDWIN.

J. J. MORGAN, Esq.

John A. Dix to John J. Morgan.

News has arrived this morning of the defeat of the patriots north of Montreal. They are shot down like wild beasts. They are almost without arms, and the regular troops sent against them are furnished with all the means of destruction.

In Upper Canada, I think, there will be no farther disturbances. A force has been organized near Buffalo with a view to cross over to the aid of the patriots, but I think it will be dis-

persed by the United States officers. Any such violation of our laws is deeply to be regretted, but the Government will not be compromitted. Governor Marcy will issue a proclamation to-morrow calling on our citizens to preserve their neutrality. The feeling throughout our frontiers is very strong, but it will be confined, in general, to expressions of sympathy. Dr. Rolph is at Buffalo. With best love to Mother, I am, ever yours,

J. A. Dix.

I feared any letter from us just now might miscarry or excite suspicion.

III.

(Vol. I., page 222.)

MR. GALLATIN'S PROJECT OF A TREATY WITH MEXICO.

New York, March 3, 1848.

Dear Sir,—The issue on the subject of peace with Mexico is altogether changed by the contingent project negotiated by Mr. Trist, and submitted by the President to the Senate. I know that I differed in opinion with you and several respected friends as to the propriety of sustaining the Executive in the prosecution of the war. But now I think that we agree on the importance of making the project the foundation of a speedy termination of the war, and of a solid and permanent peace.

It seems to me that one of the great obstacles to be surmounted is the question of slavery, and that, if practicable, without committing either party, the discussion of that subject should be postponed and left open for subsequent consideration. I will acknowledge that I have a great aversion to conquest, and especially to the annexation of New Mexico to our Union.

In the next place, without regard to right, and only in reference to a solid and permanent peace, I have the strongest conviction that the desert should be made the boundary between Texas and Mexico, and that if the lower part of the Rio Norte be adhered to, it will necessarily produce collisions and the renewal of a war of conquest.

I have ventured to commit to paper my views on both points, and submit them to your consideration. My suggestions on the first point may appear fanciful and prove impracticable, and I

hope that some better mode, having the same object in view, may be devised. On the subject of the boundary beyond the Nueces I have no hesitation, and am fully satisfied of its paramount importance.

But I pray that, whatever you may think of the enclosed paper, and whatever use (if any) you may make of it, my name may be altogether kept out of view. I send it confidentially only to the six members of the Senate with whom I am acquainted.

Be pleased to accept the assurance of my distinguished consideration and personal regard.

Respectfully, your obedient servant,

ALBERT GALLATIN.

The Hon. JOHN A. DIX,
U. S. Senator, Washington.

The project of a treaty, communicated by the President to the Senate, comes in a questionable shape; prepared, on the part of the United States, by one whose powers had been revoked; on that of Mexico under duress, and by persons whose authority is doubtful and perhaps transient. Yet a speedy termination of this lamentable war is so desirable, and so generally wanted by the great body of the nation, that no effort should be omitted to make this overture the foundation of a just, honorable, real, and lasting peace. Every month of the war during its continuance is a sacrifice of hundreds of valuable lives, and costs the nation about four millions of dollars.

The line designated by the project as the northern boundary of Mexico is generally, and with only one important exception, founded on rational principles, so far at least as relates to Mexico itself.

The independence of California is a fact accomplished, which not the joint efforts of the United States and of Mexico could recall.

The majority of its white inhabitants already consists of European emigrants not of Spanish descent and of citizens of the United States; and it must necessarily, in a short time, be almost exclusively occupied by emigrants from this last quarter. The same observation applies with still greater force to the districts situated north of the proposed boundary which are not

yet inhabited by either the Mexicans or the Americans. Neither those provinces, nor even New Mexico, are of any real utility to the Mexican Republic. They are either deserts or distant outposts and colonies, which add nothing to her strength, and which she may yield without impairing her nationality. But the Mexican inhabitants of both California and New Mexico have rights which ought to be respected; and they should not be considered as cattle, that may be transferred without their consent.

It may also be that the people of the United States are not prepared for the absolute and unconditional annexation of those provinces which is contemplated by the project.

They may object to the admission as a State, and to the introduction in the national councils of the representatives of sixty or seventy thousand Mexicans and cultivating Indians, who are the sole inhabitants of New Mexico. It is also well known that differences of opinion, entitled to the most serious consideration, do exist; and that there are several difficult and important questions to be settled respecting the conditions on which new territory should be acquired by and annexed to the United States.

The paramount importance of the termination of the war is such that it is most highly desirable that some mode might be devised of postponing for the present a decision, or even a discussion, of those intricate and delicate questions; provided it can be done without in any way committing either of the parties concerned. Sensible of its intrinsic difficulties and my own incompetence, I hardly dare emit an opinion on that subject. The following suggestions are submitted with unfeigned diffidence, and principally for the purpose of illustrating the object I have in view.

Instead of an absolute and direct cession to the United States of the whole territory north of the intended boundary, let the Mexican Republic recognize, by the treaty, the unconditional independence of the States of Texas, New Mexico, and California, with limits defined by the treaty; and cede to the United States only the residue of the territory north of the boundary not included within the limits of those three States. This residue will consist almost exclusively of the country drained by the great Colorado of the West, and its tributaries, which con-

tains about 250,000 square miles, and still remains unoccupied by any inhabitants of European descent.

The annexation of Texas is an accomplished fact, and cannot in any way be affected by any treaty. The recognition of its independence would be a mere matter of form, and the same thing as its cession to the United States contemplated by every plan of treaty which has been proposed.

According to the arrangement suggested there would be no conquest, and the objections in that respect would be altogether removed. But everybody knows that the great obstacle to any acquisition of territory, however legitimate, is to be found in the conflicting views respecting slavery. And, without discussing the question itself, the effect in that respect of the arrangement must be fairly stated.

The States of California and New Mexico, being declared unconditionally independent, will, each of them respectively, admit or forbid slavery, as they may think proper. Whichever way they decide, the question of annexation and of its terms will remain open; and those which relate to slavery may be then discussed, as free of any previous commitment as at this time. The discussion may, therefore, be postponed for the present, without inconvenience or disadvantage to either of the parties.

The people of the two States respectively on the one part, and the United States on the other, will be at full liberty to remain independent sovereignties, or to be but one nation, as may suit their mutual convenience. This is conformable with natural justice; and, provided the provisions of the Constitution of the United States be adhered to, these will afford a sufficient guarantee, on the subject of slavery and on any other, that the ultimate decision will be proper, and that a bare majority will not dictate terms to the other party. For no territory can be acquired otherwise than by a fair treaty approved by two-thirds of the Senate; and no new State can be erected, or admitted in the Union, in any other manner than by Congress, and, therefore, with the co-operation and approbation of the House of Representatives.

But the treaty must be real and solid. Negotiated, on the part of Mexico, under duress, without the assent of the Congress

of Queretaro, and, as it seems, by men not vested with sufficient legitimate powers, it must afford a well-founded expectation that it shall be ratified freely by a Government truly representing the Mexican nation. And its terms must also be such as shall afford security for its permanence and solidity. They must for that purpose provide, as far as practicable, against collisions, and against any other incidents which might produce or afford pretences for a renewal of hostilities.

In this respect there is but one part of the proposed northern boundary of the Republic of Mexico which is truly objectionable, and of any real and immediate importance; but its importance is such as to require the most serious consideration. It is obvious that I allude to the condition which makes the Rio del Norte, from its mouth to the southern boundary of New Mexico, the boundary between the two countries. Setting altogether aside the question of right, and considering only the expediency of the measure, I have no hesitation in saying that probably the ratification by Mexico of the proposed treaty, and most certainly the solidity and permanence of peace, depend on the rejection of that line.

No one can deny, as an abstract proposition, that no more natural and eligible boundary can be devised than the desert of one hundred and twenty miles in breadth which separates the river Nueces from the Rio del Norte. None could be contrived more calculated to produce collisions than a narrow river, fordable in many places, and to which there is a common right of navigation. Nothing can be more provoking, or a greater nuisance to the weaker party, than a commanding and threatening position from which its towns on the opposite side may be bombarded. It cannot be denied that this boundary leaves Mexico without a defensive frontier, exposed at all times to be invaded, and its interior provinces to be occupied by a powerful neighbor. Nothing, finally, can be more dangerous than to place, under such circumstances, in immediate contact the Texans and the Mexicans, with such feelings as have been generated by their relative position and long warfare. Alluding only to one of the many sources of collision, I said, on another occasion:

"Where there was nothing but a fordable river to cross slaves would perpetually escape from Texas. And where would be the remedy? Are the United States prepared to impose on

Mexico, where slavery is unknown, the obligation to surrender fugitive slaves?"

It is idle to suppose that the occupation of the left bank of the Rio Norte is wanted by the United States, either as a defensive position or as a security for the future good behavior of the Mexicans. No candid man can believe, specially if the desert be made the boundary, that the Mexicans, after the severe lesson they have received, ever will begin an aggressive war. With such an immense superiority in every respect, and particularly with the indisputable command of the sea, the United States want no special defensive boundary in that quarter. The desert itself would be a sufficient barrier against invasion. No other reason can be alleged for insisting on the Rio Norte boundary than a compliance with the claim advanced by Texas.

Not only will the abandonment of this pretension secure the permanence of peace, but no measure can better insure the free ratification of the treaty by the Government of Mexico, and the unreluctant and general acquiescence of that nation. The high degree of importance which Mexico justly attached to the continued possession of the left bank of the Rio Norte has been manifested on every occasion, and never more forcibly than in the negotiation with Mr. Trist, when he was an authorized agent. Kind and even grateful feelings will be restored when the Mexicans find that the United States leave them compact and secure, and that their true strength and their nationality remain unimpaired.

With respect to Texas, she will not deny that her claim was disputed, and that, by the act of annexation, the right to decide on the boundary was reserved by the United States. Moreover, this detached belt of land, separated from the compact body of the States by the wide desert, and owned, as far as it is fit for cultivation, by Mexicans, is of no intrinsic value, and adds nothing to the real strength of the State. It is only an outpost, and, unless Texas entertains ulterior views, it is with her little more than a question of pride. This has been fully gratified by her invincibility in the field, and she might afford to be even generous. Texas should also remember that, however convenient the annexation may have been to the United States, it will have cost them, besides thousands of invaluable lives, one hundred millions of dollars of destroyed capital, and will impose on them

a debt of nearly the same amount. Yet, if it would remove opposition from that quarter, it would be expedient to deduct three millions from the sum which may be thought due to Mexico as a compensation for her cessions, and to pay that sum to Texas.

But if that State should, notwithstanding every effort to obtain its assent, persist in opposing the cession of her claim, it may reasonably be suspected that there are some other ulterior projects in view; that this obstinate retention of the left bank of the Rio Norte is only an entering wedge, through which the *exaltados* of the United States expect that collisions will necessarily take place and may be encouraged; that a new war with Mexico will thus be provoked or forced upon her, and that the plans of conquest, dismemberment, subjugation, or annexation may be carried into effect.

ADDITIONAL NOTE.

Though of much less immediate importance, but still for the same reasons, the Rio Gila is an improper boundary. Here something more is wanted than is provided for by the project. For the sake of peace, the whole of the country drained by the Colorado and its tributaries should belong to the United States. The ridge which separates the waters from the south that empty into the river Gila from the sources of the rivers that fall into the Gulf of California is the natural and proper boundary. An exception may be necessary in order to afford to Mexico a land communication with Lower California. But the right of the free navigation of the Rio Colorado from that point to its mouth should be expressly reserved; and, in order to secure it, the island of Algodones* should be included in the cession to the United States.

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* "In the Colorado." See Coulter, vol. v., "Transactions of the Royal Geographical Society," London.

IV.

(Vol. I., page 274.)

CORRESPONDENCE RELATING TO THE CHARGE OF ABOLITIONISM.

Augusta, Ga., August 26, 1853.

Hon. J. A. Dix:

The Whigs of Georgia are unsparing in their denunciations of General Pierce for what they are pleased to call his abolition and free soil appointments to office, and your appointment has been especially singled out by the Whig presses and itinerant orators for unsparing abuse. You are denounced as a Free Soiler and Abolitionist, and General Pierce as false to his inaugural pledges for appointing you. The intelligent Democrats of Georgia understand the game, of course; but I have thought that if a letter from you could be laid before our people, it might prevent the loss of some of our more credulous friends. We (that is, the Democracy) deny that you are an Abolitionist, or ever have been one, and we aver that, whatever your opinions may have been or may be upon the free-soil question, you have planted yourself upon the Democratic platform of 1852, and acquiesce in the compromise measures, Fugitive Slave Bill included. If this is a true statement of your position, it would benefit us to bring your endorsement of our declaration before the people. If you were in favor of the compromise measures, and do not merely acquiesce, it would, of course, be still stronger. Please pardon the liberty I take in troubling you, and give me an early answer, if it comports with your views to do so.

Very respectfully, I. P. GARVIN.

New York, August 31, 1853.

Dr. I. P. Garvin:

DEAR SIR,—I have just received your favor of the 26th instant, stating that I am represented by Whig presses and itinerant orators in Georgia as an Abolitionist, etc., and I thank you for the opportunity you have afforded me of saying, in reply:

1. That I am not and never have been an Abolitionist, in any sense of that term. On the contrary, I have been an open and uniform opponent of all abolition movements in this State and elsewhere since they commenced in 1835 to the present time.

While in the Senate of the United States I opposed the extension of slavery to free territory—a question entirely distinct from interference with slavery where it already exists. In the latter case I have steadily opposed all external interference with it.

2. That I have on all occasions, public and private, since the Fugitive Slave Law passed, declared myself in favor of carrying it into execution in good faith, like every other law of the land.

3. That I was in favor of the union of the Democracy of this State, which was consummated in 1850, continued in 1851 on the basis of the compromise measures, and in 1852 on the basis of the Baltimore platform.

4. That I have, since the Baltimore Convention, in June, 1852, repeatedly given my public assent to its proceedings and acquiesced in its declarations, as an adjustment of disturbing questions, by which I was willing to abide.

On these points I may write you more fully in a few days; and in the mean time you are at liberty to use this brief reply to your note as you may think proper.

I am, dear Sir, very respectfully yours,

JOHN A. DIX.

New York, September 21, 1853.

Dr. I. P. Garvin:

DEAR SIR,—In my letter of the 31st ult. I intimated that I might in a few days write you more fully on the subject to which it related. My objects were: 1st, to show, by what I have said on former occasions, that I was not, in that letter, expressing any new views on the points referred to; and 2d, to sustain, by reference to the past, the representations of political friends in your State. I should have written you at an earlier day but for my inability to procure some of the materials I required.

1. ABOLITIONISM.

The first great movements of the Abolitionists in this State were made in 1835. To counteract them, a meeting was called in September of that year at Albany, without distinction of party. Hon. William L. Marcy (then Governor of the State) presided; and I (then Secretary of State) addressed the meeting and offered the resolutions, all of which, with a single exception, were drawn by myself. Among them were the following:

"*Resolved*, That, under the Constitution of the United States, the relation of master and slave is a matter belonging exclusively to the people of each State within its own boundaries; that the general Government has no control over it; that it is subject only to the respective arrangements of the several States within which it exists; and that any attempt by the people or government of any other State, or by the general Government, to interfere with or disturb it, would violate the spirit of the compromise which lies at the basis of the federal compact.

"*Resolved*, That the Union of the States, which under Providence has conferred the richest blessings on the people, was the result of compromise and conciliation; that we can only hope to maintain it by abstaining from all interference with the laws, domestic policy, and peculiar interests of every other State; and that all such interference, which tends to alienate one portion of our countrymen from the rest, deserves to be frowned upon with indignation by all who cherish the principles of our Revolutionary fathers, and who desire to preserve the Constitution, by the exercise of that spirit of amity which animated its framers.

"*Resolved*, That we deprecate as earnestly as any portion of our fellow-citizens, the conduct of individuals who are attempting to coerce our brethren in other States into the abolition of slavery by appeals to the fears of the master and the passions of the slave; that we cannot but consider them as disturbers of the public peace; and that we will, by all constitutional and lawful means, exert our influence to arrest the progress of measures tending to loosen the bonds of union, and to create between us and our Southern brethren feelings of alienation and distrust, from which the most fatal consequences are to be apprehended.

"*Resolved*, That while we impute no criminal design to the greater part of those who have united themselves to abolition societies, we feel it our duty to conjure them, as brethren of the same great political family, to abandon the associations into which they have entered, and to prove the purity of their motives by discontinuing a course of conduct which they cannot now but see must lead to disorders and crimes of the darkest dye.

"*Resolved*, That while we would maintain inviolate the liberty of speech and the freedom of the Press, we consider discussions, which from their nature tend to inflame the public mind and put in jeopardy the lives and property of our fellow-citizens, at war with every rule of moral duty and every suggestion of humanity; and we shall be constrained, moreover, to regard those who, with full knowledge of their pernicious tendency, continue to carry them on, as disloyal to the Union, the integrity of which can only be maintained by a forbearance on the part of all from every species of intrusion into the domestic concerns of others.

"*Resolved*, That the inevitable consequence of the unconstitutional and incendiary proceedings in relation to slavery in the South must be to aggravate the condition of the blacks, by exciting distrust and alarm among the white population, who, for their own protection and security, will be compelled to multiply restraints upon their slaves, and thus increase the rigors of slavery.

"*Resolved*, That the people of the South will do us great injustice if they allow themselves to believe that the few among us who are interfering with the question of slavery are acting in accordance with the sentiment of the North on this subject; and we do not hesitate to assure them that the great body of the Northern people entertain opinions similar to those expressed in these resolutions.

"Finally *Resolved*, That we make these declarations to our Southern brethren in the same spirit of amity which bound together their fathers and ours during a long and eventful struggle for independence, and that we do, in full remembrance of that common association, plight them our faith to maintain in practice, so far as lies in our power, what we have thus solemnly declared."

These resolutions, which I offered as chairman of a committee appointed on my motion, were enforced by a speech from myself sustaining the several positions assumed in them, as a matter of obligation and duty, arising under the political compact between the States. My sentiments are unchanged; and I have no hesitation in saying that nothing inconsistent with them will be found in anything I have said since that time.

2. FREE-SOILISM.

In August, 1846, when President Polk asked of Congress two millions of dollars (afterward increased to three millions), with a view to terminate the war with Mexico, a proviso was proposed by Mr. Wilmot, of Pennsylvania, and adopted by the House of Representatives, prohibiting the introduction of slavery into any territory which might be acquired. It was sent to the Senate on the last day of the session, but was not acted on. In 1847 it was renewed, and in the mean time a large number of the non-slaveholding States had passed resolutions instructing their Senators, and requesting their representatives in Congress, to sustain it. New Hampshire, Vermont, Rhode Island, and Pennsylvania, in the order in which they are named, preceded New York in their action on this subject. The ground taken in Congress and in most of the States was that, as slavery had been abolished in Mexico, it ought not to be revived or allowed to be introduced into any territory she might cede to us, as long as the latter continued in the Territorial condition. The right of a State, on coming into the Union, to establish or legalize slavery, as a local institution, was generally conceded. I have always considered it above all control or interference by

the Federal Government; and on the 1st of March, 1847, in my first speech in the Senate on this subject, I made the following propositions, with a view to the settlement of the whole question:

"1. All external interference with slavery in the States is a violation of the compromises of the Constitution, and dangerous to the harmony and perpetuity of the Federal Union.

"2. If territory is acquired by the United States, it should, in respect to slavery, be left as it is found. If slavery exists therein at the time of the acquisition, it should not be the subject of legislation by Congress. On the other hand, if slavery does not exist therein at the time of the acquisition, its introduction ought to be prohibited while the territory continues to be governed as such.

"3. All legislation by Congress in respect to slavery in the territory belonging to the United States ceases to be operative when the inhabitants are permitted to form a State Government; and the admission of a State into the Union carries with it, by virtue of the sovereignty such admission confers, the right to dispose of the whole question of slavery without external interference."

These propositions I considered in substantial accordance with the resolutions of the Legislature of the State I represented, and they were in conformity to my own opinions.

It did not, of course, escape my notice at the time I made these propositions—which were reiterated in 1848, in the words in which they are above given (and I think I so stated to some of my associates in the Senate)—that their adoption as a final adjustment of the dispute would bring Cuba into the Union, when the proper time should arrive, as a Territory first and a State afterward, without any question as to the existence of slavery in that island.

This, then, was the position of fourteen of the thirty States in 1848—that if any territory was acquired from Mexico (slavery having been abolished) it should continue free from slavery as long as it was governed as a Territory, leaving to the people, when they should organize a State, to decide for themselves what their condition in this respect should be. This position I sustained from 1847 to 1849. My convictions of its justice were, I trust, as sincere as the opinions of those from whom I differed. I have never attempted any explanation of my action on this question otherwise than as my recorded speeches in the Senate explain it; and I am sure that nothing will be found in them which can be justly considered offensive by those who

disagreed with me. To the people of the State of New York—whose instructions, given through the Legislature, I obeyed and defended—I have always been ready to account.

Some of the State Legislatures in 1848 went farther, and passed resolutions against the admission of any future slaveholding State into the Union. I never assented to such a proposition. On the contrary, I believed it to be irreconcilable with our obligations to others—certainly to Texas—and it was inconsistent with my own views of State sovereignty.

The long-pending controversy was settled after my term of service in the Senate had expired—1st, by the admission of California into the Union, with a Constitution, formed by herself, prohibiting slavery; and, 2d, by the organization of Territorial governments for Mexico and Utah without such a prohibition. These acts were regarded, and generally acquiesced in, as a settlement of the whole question. This was my view of the subject, and I have so treated it on all occasions.

3. FUGITIVE SLAVES.

I have always acknowledged the right of the slaveholding States to demand the surrender of fugitive slaves under that provision of the Constitution which requires the surrender of persons held to service or labor; the right of Congress to legislate on the subject, and the obligation to pass an effective law.

In a debate in the Senate of the United States, on the 26th of July, 1848, I made the following remarks:

"The Northern States have been repeatedly charged in this debate, and on many previous occasions, with aggression and violations of the constitutional compact in their action on the subject of slavery. With regard to the surrender of fugitive slaves—the case most frequently cited—it is possible that there may have been some action, or inaction, in particular States, not in strict accordance with the good faith they ought to observe in this respect. I know not how it is, but we know there is an effective power to legislate on this subject in Congress, and I am sure there will be no want of co-operation on our part in carrying out the requirements of the Constitution, by providing all reasonable means for executing them."

Since the law of 1850 passed I have uniformly declared myself in favor of carrying it into execution, like every other law of the land. My views with regard to this and all other obligations of a kindred character are clearly expressed in the following extract from an address delivered at Boston, in November,

1852, repeated on several occasions in New England and this State, and published in January last:

"And, 1st, let it be distinctly understood that the law must be inflexibly maintained. I use the term law in its largest sense, not only as including what has been specifically decreed, but as comprehending the general order, on the preservation of which the inviolability of all public authority depends. The law is the will of the people, constitutionally expressed. Whoever arrays himself against it, excepting to procure its repeal, in the mode prescribed by the fundamental compact, commits an act of treachery to the people themselves.

"The law is the basis of all popular supremacy. It is the very feature by which free government is distinguished from despotism. To uphold it is one of the highest duties which is devolved on us as freemen. It is always possible that those who are intrusted with its execution may err in the performance of their duty. They may employ unnecessary, arbitrary, or even wanton severity in enforcing it. For all this they may be held to a rigid account. But no error in the execution can impair the obligation to uphold it. It must be understood, and without reservation, that the law is to be inflexibly maintained."

4. THE HIGHER LAW.

In July, 1850, shortly after the promulgation of Governor Seward's higher law doctrine, I referred to it in an address to the Democracy of Herkimer County, in this State—published immediately after—in the following terms:

"In the maintenance of principles which we believe to be vital to our honor or prosperity let us not forget that we have duties to perform in a twofold relation—to ourselves, and others in our sister States, as members of a common Union, which we are pledged to maintain under all its constitutional forms, and to our Democratic brethren in this State, with whom we have been associated in numberless contests and trials. Our first duty is fidelity to the Constitution. If we fail in the observance of any one of its requirements, how can we call on the people of other States to be faithful to it? If, as has been said, there is a Power above the Constitution, His will, so far as it has been revealed to us, inculcates obedience to the Government under which we live, while it is administered in accordance with the fundamental compact; submission to the laws, fidelity to duties arising under the Constitution, and a spirit of justice to our political associates. I am in favor of conforming to all its requirements, and of carrying them out fully and in good faith, no matter what they may be. No one of our obligations under the Constitution can be less imperative than another. Disobedience to one is infidelity to all."

I believe I have, in the foregoing remarks and extracts from speeches heretofore delivered, covered all the ground of impu-

tation against me, including the proceedings of the Baltimore Convention of 1852, which contained nothing of importance not asserted in previous conventions, except an endorsement of the compromise measures, as a settlement of the slavery question, and a deprecation of all future agitation of it, "here or elsewhere." In these proceedings I expressed at the first meeting held in this city to ratify them my cordial concurrence, and I was, during the greater part of the late canvass for the Presidency, in the field in this and other States.

It is with great regret that I have, for the first time in my life, felt constrained to vindicate myself from the imputations of sentiments I have never entertained or uttered. I had heard, previously to the receipt of your favor, that I was assailed by Whig speakers in the South as an Abolitionist; and I was willing to leave my vindication to time and events as the best correctors of all such misrepresentation and error. But when told by you that they were used as instruments of assault upon the President and the Democracy of Georgia, I felt that no personal consideration should induce me to remain silent. In connection with the subject I deem it due to myself to say that, before my letter to you of the 31st ult. was written, I had expressed to the President a desire to be relieved, as soon as the public convenience would permit, from the office I now hold—an office which nothing but the hope of being useful to the Democratic cause in this State would have induced me to accept—and that I am not, and have never been, by any act of my own, a candidate for any other. I am, dear Sir, very respectfully yours,

JOHN A. DIX.

V.

(Vol. I., page 348.)

New York, November 10, 1860.

To the Hon. Howell Cobb:

DEAR SIR,—The movements in some of the Southern States, with a view to the dissolution of the Union, have, as you may suppose, given us the greatest uneasiness, and I cannot refrain from writing to you on the subject. I do so because you have been charged—unjustly, I do not doubt—with favoring these movements, and because I sincerely think there is no Southern

man who, by opposing them, can do more than yourself to keep the States together.

Nothing can be less defensible, on any ground of right or policy, than an attempt to break up the Union on account of the election of Mr. Lincoln. This is no time for elaborate argument. I wish only to make a few points, stating them in the briefest manner, and appealing to your patriotism to give them a calm and candid consideration.

1. The election of a President in strict conformity to the requirements of the Constitution can, by no process of reasoning, be deemed a just cause of secession. It would be the weakest of all positions as a ground for action. An overt act in palpable violation of the Constitution is the only justifiable cause for seeking to throw off the obligations of the federal compact.

2. The opinions of Mr. Lincoln, as a private individual, are not to be assumed as the guide of his official conduct as Chief Magistrate. At the hustings, as we all know, men often utter sentiments which they would be the last to carry into practice, when the responsibilities of government are thrown upon them, and they are acting under the obligation of an oath. There is every reason to believe that Mr. Lincoln will be forced, whatever may be his personal opinions, to separate himself from the ultraism of the party which has elected him.

3. The majority of both Houses of Congress will be opposed to the incoming administration, so that all hostile legislation in regard to the South, even if it should be attempted, would be impossible.

4. Our defeat is not due to the slavery question alone. Other and equally influential elements entered into the contest, and contributed largely to the result. The Democratic party was divided and disorganized by causes which it is unnecessary to enumerate. Our discomfiture is due as much to ourselves as to our opponents.

5. The Republican party, from the very principles of its organization, must have a brief existence. It contains within itself the elements of an early dissolution. Its sectionalism alone must speedily demoralize and destroy it.

6. The Democrats of the North, since the adoption of the compromise measures of 1851, have stood up firmly in defence of your rights. Inconsistent as it may seem with our recent

defeat, there is a better knowledge of our constitutional obligations, and a firmer determination to stand by you, than there ever has been heretofore. I know that the statute books of several of the States are dishonored by enactments designed to defeat the execution of the Act of Congress for the restoration of fugitive slaves. But these enactments are, and must continue to be, utterly nugatory, and the Act of Congress will, under any administration, be carried into effect.

Under all these circumstances nothing could be more unwise than a movement to dissolve the Union, even if it were not obnoxious to the graver objection that there is nothing in the mere election of a President to warrant it.

But I put the question with you on other grounds. You cannot in honor desert us in our adversity. Your defeat is ours. We have fought your battles without regard to the political consequences to ourselves. It is neither chivalrous nor brave to draw off because the common adversary has gained a momentary advantage, and leave us to continue the contest for justice and right without the support we have given to you. There is but one course for magnanimous men, and that is to stand by us in our extremity. You cannot abandon us without subjecting yourselves to the imputation of unworthily deserting your friends and allies. I call on you, as one who knows, to bear testimony to the fidelity with which we have sustained you, and I appeal to you, as one keenly alive to the honorary obligation which such a fidelity imposes, to stand by us yourself, and to exert your powerful influence with others to avert a calamity which would be most disastrous to us all, and to the cause of free government throughout the world.

I have written to you with more freedom, perhaps, than my personal relations with you warrant. But I have the right, which every man possesses, to speak unreservedly to another, in whose patriotism and honor he has full confidence. Besides, the crisis demands frankness in speech and decision in action; and as a friend of the Union, believing that its dissolution would inevitably entail disaster and disgrace on us all—on those who should go out, as well as those who should remain in it—I hold it my duty to speak as boldly, and, if need be, to act as fearlessly, in its defence as others are speaking and acting for its destruction.

Let me, then, once more appeal to you and our Southern friends, as honorable men, to remain with us and to meet with us, whatever emergencies of good or ill the coming administration may bring with it. And let me assure you, on the fullest consideration, that any overt act in violation of your rights would be met here with as much promptitude and with as stern a resistance, even to the death, as it would be by yourselves.

I am, dear Sir, with sincere regard, truly yours,

JOHN A. DIX.

VI.

(Vol. II., page 35.)

THE ELECTION IN MARYLAND IN 1861.

State of Maryland, Executive Chamber,
Annapolis, November 2, 1861.

Major-general John A. Dix, U. S. A.:

DEAR SIR,—I beg you excuse this trespass, and attribute it to the (perhaps) too great solicitude felt in regard to our election, to come off on next Wednesday. I know many of the devices being resorted to by the insidious enemies of the Union, and their determination (and desperation) to carry the election by the Secession National Democratic Peace Party, with all other deceivable names and efforts.

I confess I have but little fear; but to fight men, *desperate*, behind masked batteries, on hill-tops and in valleys, on house-tops and cellars, you have to be vigilant, and show them no quarter. I wrote you hurriedly a few days since in regard to sending a small armed force over the Long Bridge into Anne Arundel County, adjacent to Baltimore City, to put a stop to the transportation of contraband goods; *in fact*, to keep the enemies of the Government from overawing loyal men. Mr. Dunbar, one of our candidates, promised to see you and explain; but he may fail, and I write. I repeat, I have but little fear, and yet may be deceived. I take for granted, if the rebels succeed by villany (they can in no other way), the Government will capture the successful, in which none will be more ready to act in any capacity suited to the purpose than shall I. Whether that action shall be most available in the Executive Chamber or

the battle-field shall, as then determined best, be devoted to our suffering country in support of the Union.

Colonel Morse is doing good service here; but his force is run out, else we would not trouble you. I should say too that General Lockwood is doing us good service on the Eastern Shore.

If I appear to you too anxious, excuse it. I have, or *rather* my country has much at stake. I am peculiarly situated, as you know, and yet for myself I care little. To know I am right is all. My span of life is nearly out; but when that is ended my country will be here, and if only united a *great, indivisible country*, as heretofore, then I can repose in a small modicum of her territory in peace. Trusting that all may—*will* work together for good, I have the honor to be, with great respect,

Your obedient servant, THOMAS A. HICKS.

Head-quarters, Department of Pennsylvania,
Baltimore, Md., November 1, 1861.

To the United States Marshal of Maryland and the Provost-marshal of the City of Baltimore:

Information has come to my knowledge that certain individuals, who formerly resided in this State, and are known to have been recently in Virginia bearing arms against the authority and the forces of the United States, have returned to their former homes, with the intention of taking part in the election of the 6th of November instant, thus carrying out at the polls the treason they have committed in the field.

There is reason also to believe that other individuals, lately residents of Maryland, who have been engaged in similar acts of hostility to the United States, or in actively aiding and abetting those in arms against the United States, are about to participate in the election for the same treacherous purpose, with the hope of carrying over the State, by disloyal votes, to the cause of rebellion and treason.

I, therefore, by virtue of the authority vested in me to arrest all persons in rebellion against the United States, require you to take into custody all such persons in any of the election districts or precincts in which they may appear at the polls to effect their criminal attempts to convert the elective franchise into an engine for the subversion of the Government, and for the encouragement and support of its enemies.

In furtherance of this object, I request the Judges of Election of the several districts and precincts of the State, in case any such person shall present himself and offer his vote, to commit him until he can be taken into custody by the authority of the United States.

And I call on all good and loyal citizens to support the Judges of Election, the United States Marshal and his deputies, and the Provost-marshal of Baltimore and the police, in their efforts to secure a free and fair expression of the voice of the people of Maryland, and at the same time to prevent the ballot-boxes from being polluted by treasonable votes.

(Signed) JOHN A. DIX, Major-general Commanding.

New York, November 7, 1863.

MY DEAR SIR,—I have just seen your letter to the President. General Schenck's order I have not seen. You have quoted from my proclamation of the 1st of November; but there is a letter to the Judges of Election in a certain precinct near Baltimore, in which I declined to order the oath of allegiance, or any other test, to be required of voters, taking the ground that the Constitution and laws of Maryland established the qualification of voters, and that I could not interfere with them. I think the letter was written about the 1st of November. It is in the Letter Book at the Department Head-quarters at Baltimore. I also telegraphed Mr. Dodge from Fort McHenry, the night before the election, requiring him to use every effort to prevent any interference with the free exercise of the right of suffrage. I remember saying to him that there was no difficulty in controlling Maryland by force, but that this was not what we wanted. We wished to show that we could control it by the power of opinion, and that we must, in order to satisfy the country the people were on our side, leave them to an unbiassed expression of their wishes. A copy of this despatch ought to be in the hands of Mr. Dodge, Provost-marshal. It is in the telegraph office at the Department Head-quarters. I write without knowing what the precise point of disagreement is, except so far as I can infer it from your letter.

I am, truly yours,

JOHN A. DIX.

His Excellency A. W. BRADFORD.

VII.

(Vol. II., page 93.)

Head-quarters, Department of the East,
New York City, August 12, 1863.

Hon. E. M. Stanton, Secretary of War:

SIR,—I telegraphed the Provost-marshal General this morning that there ought to be ten thousand troops in this city and harbor when the draft is resumed, and that with such a force it may be commenced on Monday. This force is the smallest estimated by any one as necessary to hold the forts, provide for the safety of the public property in the city, and overawe resistance to the draft. Although General Canby has five thousand men, they are very much scattered, and not more than two thousand would be available for service in the city.

The interests the Government has in this city, independently of the importance of preventing any open opposition to its authority, are too great to be put at hazard by want of adequate preparation, and I am constrained to believe that the whole moral influence of the executive power of the State will be thrown against the execution of the law for enrolling and calling out the national forces, and a case may occur in which the military power of the State will be employed to defeat it. If this case arises, or is likely to arise, I shall promptly declare martial law and suspend the civil authority.

In connection with this subject it becomes of the greatest importance to consider the extent of the President's authority over the militia of this city and State. By the first section of the act of July 29, 1861, chapter 25, the President is authorized to call forth the militia of any or all the States whenever, by reason of unlawful obstructions, combinations, etc., it is impracticable, in his judgment, to enforce the laws, etc. This and section 2 of the same act are substitutes for sections 2 and 3 of the act of February 28, 1795, chapter 36. The Supreme Court of the United States (12 Wheaton, Martin *vs.* Mott) held that "the authority to decide whether the exigency has arisen belongs exclusively to the President, and that his decision is conclusive upon all other persons." Though not in the order of dates, I begin with this interpretation because it is applicable to

all the cases that can arise for the exercise of the President's power under the acts authorizing him to call forth the militia.

In view of the difficulties existing here, there is another question of pre-eminent importance.

Has the President authority to address his orders to particular officers of the militia to call out the troops under their command without a requisition upon the Governor of the State? Or, to suppose a case for the exercise of the power: Can the President order Major-general Sandford to call out his command to resist unlawful obstructions to the execution of the act for enrolling and calling out the national forces? In the case of Houston *vs.* Moore, 5 Wheaton, the Supreme Court of the United States, by Justice Washington, said: "The President's orders may be given to the chief executive magistrate of the State, or to any militia officer he may think proper." This power is expressly given in the first section of the act in cases of invasion or danger of invasion. The Court considered it applicable to the cases of insurrection and obstructions to the execution of the laws. It held that "the act of the 2d of May, 1792, which is re-enacted almost verbatim by that of the 28th of February, 1795, authorizes the President of the United States, in case of invasion, or of imminent danger of invasion, or when it may be necessary for executing the laws of the United States, or to suppress insurrection, to call forth such number of the militia of the States most convenient to the scene of action as he may judge necessary, and to issue his orders for that purpose to such officers of the militia as he shall think proper."

If I find it necessary to declare martial law, I may also find it necessary to ask the President to call General Sandford's division into the service of the United States, and to address the order directly to him. It may be the more important, as intimations have been thrown out, by persons officially connected with Governor Seymour, that the militia of the city may be used to protect its citizens against the draft in certain contingencies; and it is quite possible that such a contingency may arise in the progress of judicial proceedings instituted to release individuals from the operation of the act for enrolling and calling out the militia.

That there is wide-spread disaffection in this city, and that opposition to the draft has been greatly increased by Governor

Seymour's letters, cannot be doubted; and in view of the disastrous effects at home and abroad of a successful resistance to the authority of the United States, I renew the request contained in my despatch of this morning to Colonel Fry, that five thousand more troops may be sent here. With this preparation I feel confident that rioters, as well as the more dangerous enemies of the public order—those who sympathize with the seceded States, or are so embittered by party prejudice as to lose sight of their duties to the Government and the Union—will be overawed; that the draft will be completed without serious disturbance, and the public authority effectually maintained.

I have the honor to be, very respectfully yours,

JOHN A. DIX, Major-general.

VIII.

(Vol. II., page 92.)

ON THE RIGHT OF THE GOVERNMENT TO MAKE A DRAFT.

Letter to the War Democracy of Wisconsin.

New York, September 9, 1863.

GENTLEMEN,—I received the day before yesterday yours of the 31st of August, inviting me to attend a Mass Convention of the loyal Democracy of Wisconsin, on the 17th instant, at the city of Janesville. I have not seen the platform, embracing the Ryan address, put forth by the Democracy of Wisconsin, at Madison, on the 5th of August; but it is enough for me to know that you are in favor of "the resolute prosecution of the war," and of "unconditionally supporting the Government in its efforts and credit in upholding its laws and replenishing its armies until the supremacy of the Constitution shall be established over every State and upon every spot of our domain." This is my own purpose; and I have seen, with the deepest regret, manifestations of a determination on the part of a portion of the Democracy of the country to withhold its support from the Government in carrying on the war, on account of certain errors of policy, thus giving aid to the public enemies who are in arms against the Union and the national life. This determination, if persevered in, will inevitably betray the Democratic

party into a course of action which will be fatal to it, by leaving it at the close of the war, now not far distant (if we are united), in the same relation to the country in which the Federal party was left at the close of the war of 1812.

I cannot accept your invitation to address you. My public duties demand my constant presence here; and I believe I can be most serviceable to the country by confining myself strictly to the discharge of those which are devolved on me by my military command. But I take pleasure in responding to your request to write to you.

In a great national struggle for existence, what is the duty of all good citizens? Manifestly to sustain the Government with all their strength. If it is weak, we should rally around it and try to make it strong. If it is guilty of errors of conduct, we should not, for that reason, rush into an opposition which may disqualify it for the great end it is laboring to accomplish; but we should still sustain it, and trust for their correction to the recurrence of the popular ordeal through which every administration is, after a brief period, to pass.

The measure which has produced, perhaps, more dissatisfaction than any other is the President's Emancipation Proclamation. I certainly should not have advised it. I believed that it would prove practically inoperative—that it would only reach negroes who came within our control, and they were, by the laws of war, if we chose so to regard them, free without it. It was purely a war measure; and if the war should cease to-morrow, it would cease to be practically operative, excepting so far as it has been executed. This is, however, a question of interpretation for the courts, and it does not become me to anticipate their decision.

But, putting another construction on it—that it was, as has been charged, the index of a radical change in the policy of the war—of the intention of the administration to make it a war for the abolition of slavery, and not for a reconstruction of the Union on the basis of the Constitution—the only basis, as I think, on which reconstruction is possible—is it wise or patriotic to withdraw our support from the Government on account of it? In a war for the nationality of the country there can be but two sides. The neutral may, it is true, clog the movement of the Government by his dead weight, as the *vis inertiæ* of matter

impedes its motion. But he who, by assuming an attitude of hostility to the Government, embarrasses it in the prosecution of the war, is an auxiliary of the public enemy. The question is, whether war with the Emancipation Proclamation shall be maintained against the rebellion, or whether the rebellion shall be allowed to go on unresisted on account of the proclamation? In other words, whether aid shall be given to the administration of Abraham Lincoln or the usurpation of Jefferson Davis?

Great dissatisfaction has also been created by permitting arbitrary arrests by military authority in States which are loyal, and in which the machinery of the Courts is in full operation. Condemnation of these in speech or through the Press is one of the prerogatives of free discussion. But when opposition is carried to the extremity of withholding support from the Government in carrying on the war, or rushing into open resistance to it, a crime is committed, and the public enemy is aided and encouraged.

This is now the imminent danger which threatens the Democratic party. Opposition to the measures referred to has degenerated into opposition to the war. The law authorizing a draft of men to replenish the ranks of the army has been virulently condemned by leading members and leading Presses of the Democratic party, and every effort has been made to defeat its execution and to prevent the Government from getting men under it. It has been denounced as unconstitutional, arbitrary, unprecedented, and a measure of tyranny to which the Anglo-Saxon race has never submitted. These misrepresentations, sustained in many instances by high authority, have done much to render the measure odious and to defeat its purpose.

Of the necessity of the act I have nothing to say, excepting what all know, that it was found impracticable to keep up the numerical force of the army to the proper standard by voluntary enlistment. It was passed by Congress under a sense of the responsibility which the members owe to the people, and in view of the exigencies of the military service. It is a law, and obedience is a public duty. Obedience to it is more than an ordinary duty under existing emergencies. It is the dictate of patriotism, of the sense of honor, and of the high instinct which impels every man, who is worthy of his country, to obey her call when the Government is in peril.

In seasons of public danger compulsory military service, of which the draft is the mildest and most equitable form, has been resorted to in England, for the army as well as the navy, in nearly every eventful reign, from the time of William the Conqueror down to George the Fourth. It has been enforced by the King's prerogative, and by statute law: it was regulated by the Parliament under Charles the First, and by the Parliament under Oliver Cromwell, after Charles was beheaded. One of their acts elicited an encomium from Hallam, in his "Constitutional History of England." It was adopted in Massachusetts, New York, and Virginia under the Colonial regime, and continued after they had thrown off their allegiance to the British crown. It had the leading features of the present draft —substitutes and pecuniary contribution as a commutation for personal service. It was continued by the United States, under the Articles of Confederation, till Congress, under the Constitution, was invested with the unlimited power to "raise and support armies." It is peculiarly and pre-eminently an Anglo-Saxon method of providing for great public emergencies; but in the heat of party strife men become as untrue to history as they are to the duties of citizenship.

In this State the denunciations hurled against the present draft by the Press, and by men high in position, led to the most disgraceful riot known to the history of the country, in which hundreds of lives were lost, and delayed the execution of the measure for a period which will not fall short of two months. If the law had been cheerfully obeyed, if those who have been busy in denouncing it had been as earnest in their appeals to the patriotism of the people to carry it out, a great public dishonor would probably have been averted, and Lee's army, the last dependence of the insurgents, might ere this have been hopelessly crippled or dispersed.

From the period of the Confederation this mode of replenishing the army has been called a draft, and the men enrolled for service drafted men. The Federalists, in 1814, gave it, in order to render it odious, the name of conscription. The same course is adopted by its enemies now. Some who are supporters of the law have, it is true, with a looseness of expression by no means creditable to them, applied to it the term by which it was stigmatized by the enemies of the Democracy in the war

of 1812; but it is unknown to the law and to the instructions of the Government, and a persistence in the use of a term which suggests the severe French system of compulsion, and keeps out of view the comparatively mild Anglo-Saxon draft, cannot be dictated by a patriotic motive.

In 1814, after the desperate contests on the Niagara frontier, when it became necessary to fill up the ranks of the army, and when volunteering, as now, had become an uncertain reliance, Mr. Monroe, then acting Secretary of State and Secretary of War, and afterward President of the United States, proposed several plans, one of which, and the most prominent, was a draft. Mr. Madison, who was President, referred to it in terms of approval in his Message to Congress.

Mr. Monroe, in his letter to the Committee of the House of Representatives, defended the measure in a clear and unanswerable argument, from which there is room only for the following extracts:

"In proposing a draft, as one of the modes of raising men in case of actual necessity in the present great emergency of the country, I have thought it my duty to examine such objections to it as occurred, particularly those of a constitutional nature. It is from my sacred regard to the principles of our Constitution that I have ventured to trouble the Committee with any remarks on this part of the subject. . . .

"Congress have a right by the Constitution to raise regular armies, and no restraint is imposed in the exercise of it, except in the provisions which are intended to guard generally against the abuse of power, with none of which does this plan interfere. . . .

"An unqualified grant of power gives the means necessary to carry it into effect. This is a universal maxim, which admits of no exception. . . .

"The commonwealth has a right to the service of all its citizens; or, rather, the citizens composing the commonwealth have a right collectively and individually to the service of each other to repel any danger which may be menaced. . . .

"The plan proposed is not more compulsive than the militia service."

These extracts indicate the tone of the argument in favor of the constitutionality of the measure, as well as its necessity, its propriety, and its justice.

The measure was immediately assailed as unconstitutional by the leading Federalists in Congress. It was denounced as an odious conscription, and in much the same language as its opponents denounce it now. Jeremiah Mason, of New Hampshire—

admitted to have been the ablest Federal Senator in Congress at that time—spoke against it.

Mr. Goldsborough, a Federal Senator from Maryland, said:

"A few years past, and the name of conscription was never uttered but it was coupled with execration. Last year it found its way into a letter from the Secretary at War to the Chairman of the Military Committee, and it was then so odious that it was but little exposed to view. This year we have conscription openly recommended to us by the Secretary at War [Mr. Monroe] in an official paper; and, worst of all, it finds champions and advocates on this floor."

In the House of Representatives, Mr. Cyrus King, a Federal Member from Massachusetts, said:

"James Madison, President of the United States, is the father of this system of conscription for America, as his unfortunate friend Bonaparte was of that of France. This he announced in his Message, before referred to, as follows: 'I earnestly renew, at the same time, a recommendation of such changes in the system of militia as, by classing and disciplining for the most prompt and active service the portions most capable of it, will give to that great resource for the public safety all the requisite energy and efficiency.'

"His plans, therefore, substantially embraced by these conscription bills, were afterward submitted to Congress by his Secretary of War, James Monroe, and by him attempted to be recommended to the American people by the plea of necessity:

'So spake the fiend, and with necessity,
The tyrant's plea, excused his devilish deeds.'

"Your President farther says, in the same Message: 'We see the people rushing with enthusiasm to the scenes where danger and duty call. In offering their blood they give the surest pledge that no other tribute will be withheld.' If this be true, Sir, where is the necessity of violating the Constitution to impose on the people a military despotism and French conscription?"

Mr. Morris S. Miller, a distinguised Federal Member from Utica, said:

"The plan which gentlemen wish adopted is conscription. They call it classification and penalty—classification and draft. Sir, there is poison in the dish—garnish it as you please, there is poison still. You call it classification. . . . The times demand that things should be called by their right names—this is conscription, and with features more hideous than are to be found in the exploded system of our unfortunate cousin of Elba. . . .

"What are the plans by which you intend to fill your army? I object to them all, as unconstitutional and inexpedient. They all look to force, and you have no right to raise an army except by voluntary enlistment. . . .

"Mr. Chairman, this plan violates the Constitution of your country. It invades the rights of State governments. It is a direct infringement of their sovereignty. It concentrates all power in the general Government, and deprives the States of their necessary security. . . .

"Much less can I forget that the Governor of New York (Mr. Tompkins), who has lent himself to the administration as the pioneer of conscription, did pardon a horse-thief on condition that he should enlist. . . .

"I have followed four children to the tomb. Under present circumstances ought I repine at their loss? When I see the attempt to fasten this conscription on us ought I to regret that they have gone to heaven? My daughters, had they lived, might have been the mothers of conscripts; my sons might have been conscripts themselves. . . .

"I have carefully examined this conscription question with all the seriousness and attention required by the solemnity of the occasion. I have exercised that small measure of talent which it has pleased the Almighty to bestow upon me, and I have arrived at this conclusion: the plan of conscription violates the Constitution; it trenches on the rights of the States, and takes from them their necessary security; it destroys all claim to personal freedom; it will poison all the comforts of this people. In this belief I have no hesitation to say that I think it will be resisted, and that it ought to be resisted."

Leading men of the Democratic party have carried into this war the same hostility to the draft that Judge Miller and his Federal associates in Congress carried into the war of 1812. There is this difference, however, and one by no means favorable to the opponents of the draft of the present day: Judge Miller's hostility to it was before it became a law; and his was a legitimate opposition, having for its purpose to prevent the adoption of the measure. On the other hand, those who follow in his footsteps resist the draft with all the moral power they can exert, in order to defeat the execution of a law definitively passed by both Houses of Congress. Judge Miller, as a Member of Congress and a part of the law-making power, had a perfect right to oppose the measure in debate and by his vote. But those who resist it when it has become a law not only violate one of the first duties of citizenship, but array themselves against the war, by attempting to defeat the execution of a measure so essential to success as the recruiting of our armies.

While it is the highest duty of the citizen in time of war to sustain the Government against the public enemy, there has been no epoch in the history of the Republic in which this obligation was more imperative than it is at the present moment. Not

only is our national existence threatened by the Southern insurrection, but our enemies abroad have been busy, while domestic discord has bound our hands, in violating the time-honored policy of the country. Spain has appropriated to herself another of the fertile islands of the Gulf. France has overthrown the authority of a neighboring republic, and is seeking to place an Austrian monarch on an American throne. Great Britain, forgetful of her history and her good faith, and reckless of international obligations, has become a secure base for naval enterprises by rebellious citizens to ravage our commerce and insult our flag. In view of these public wrongs, and of the day of reckoning which must come, it is no time for our citizens to relax their ties of allegiance, or to inculcate theories which strike at the foundation of the military power of the Government. On the contrary, it is the duty of the statesman who loves his country, and would resent her wrongs, to cherish and keep alive that spirit of devotion which will enable us to present against all foes, whether domestic or foreign, an unbroken front; to proclaim and to exemplify in his conduct the only doctrine worthy of a patriot—that in time of war the Government is entitled to the hearty and zealous support of the whole people against the common enemy.

Let me return a moment to the year 1814. Previous to the debates in Congress referred to, important movements were in progress in the State of New York. At a special session of the Legislature, called in the month of September by Governor Tompkins, before Mr. Monroe presented his plan for a draft, Mr. Van Buren, then a young member of the Senate, brought forward several measures to infuse new vigor into the prosecution of the war. The most prominent was a bill to place at the disposal of the general Government twelve thousand men for two years, to be raised by a classification of the militia of the State.

This measure encountered the most violent opposition from the Federal members of the Legislature; but it passed both houses, and became a law on the 24th of October, 1814, nine days after Mr. Monroe's plan was submitted to Congress. Of this bill Colonel Benton, in a letter to the Mississippi Convention in 1840, said that it was "the most energetic war measure ever adopted in this country."

Mr. Niles (see his "Register," vol. vii., Nov. 26, 1814) says:

"The great State of New York has taken a stand that says [to the Hartford Convention], thus far shalt thou go and no farther." And at page 123, same volume: "The Legislature adjourned on the 24th of October, after passing several acts of great importance. Among them is an 'act to raise twelve thousand men, to be paid, fed, and subsisted by the United States.' The men are to be raised by an equal classification, and are intended as a permanent force to relieve the militia," etc.

Thus it will be seen that the draft, which was proposed in Congress and adopted in New York, and which was denounced by the Federalists as a conscription, as unconstitutional, arbitrary, and tyrannical, had the support of Madison, Monroe, Tompkins, Van Buren, and other great men of the Democratic party; and had not the treaty of peace concluded at Ghent in December, 1814, put an end to the war, there is little doubt that this mode of replenishing the army would have been adopted in Congress, as it was in New York.

The course of those who are denouncing and resisting the measure now, in nearly the same manner and the same language as that in which the Federalists denounced it and its authors, Madison, Monroe, and Tompkins, is in great danger of placing the Democracy of the country in a position of open hostility to the Government and to one of its leading war measures. If this course is persisted in and sustained by the great body of the party, its downfall is certain. The danger can only be averted by an honest and unqualified support of the war. It is not enough to pass patriotic resolutions and declarations of principle. These are a mere deception unless they are followed up by consistent acts, and by putting forward as representative men those who have given evidence in their conduct that their hearts are in the great struggle in which the country is engaged for the preservation of its life. If this be not done, the Democracy will inevitably draw down upon itself the popular distrust which fell upon the Federal party at the close of the war of 1812, and rendered its resuscitation impossible. Into this abyss I will not consent to be dragged down. I have been all my life a member of the Democratic party. Its principles, as proclaimed by Jefferson, Madison, and Jackson, have always been, and ever will be, my guides; and while I do not deem it compatible with my military duties to take an active part in political con-

tests, I shall do all in my power to rescue the party from the destruction with which it is menaced by the impolicy, the partisan spirit, and the want of patriotism by which some of its leading men are actuated, and to rally it, so far as my humble efforts avail, to the support of the Government and the preservation of the Union. If it cannot be saved, I will not be an agent in its downfall. But if it is doomed to succumb to the influence of unfaithful leaders and pernicious counsels, my hope still is, that the great body of its members will, before it *is* too late, reassert its ancient principles, and, combining with the conservative elements of the country, will resume its proper influence in the conduct of public affairs, and guide us, as in the better days of the Republic, under the sacred banner of constitutional liberty and law, in our majestic march to prosperity and power.

I am, very respectfully, your obedient servant,

JOHN A. DIX.

MESSRS. MATT. H. CARPENTER, LEVI HUBBELL, C. D. ROBINSON.

The Hartford Convention and the Draft.

The address and resolutions of the Hartford Convention (referred to at Vol. II., page 92) are dated January 4th, 1814, and the following extract relates to the subject of the draft:

"The power of compelling the militia and other citizens of the United States, by a forcible draft or conscription, to serve in the regular armies, as proposed in a late official letter of the Secretary of War,* is not delegated to Congress by the Consti-

* The Report referred to in the text contains the following passage:

"The idea that the United States cannot raise a regular army in any other mode than by accepting the voluntary service of individuals, is believed to be repugnant to the uniform construction of all grants of powers, and *equally so to the first principles and first objects of the Federal compact.* An unqualified grant of power gives the necessary means to carry it into effect. This is a universal maxim, which admits of no exception. Equally true is it that the conservation of the State is a duty paramount to all others. The commonwealth has a right to the service of all its citizens; or, rather, the citizens composing the commonwealth have a right, collectively and individually, to the service of each other to repel any danger which may be menaced. The manner in which the service is to be apportioned among the citizens and rendered by them are objects of legislation."—JAMES MONROE'S *Report, as Secretary of War, October* 17, 1814; *Niles's* "*Annual Register*," vol. vii., p. 138.

tution, and the exercise of it would be not less dangerous to their liberties than hostile to the sovereignty of the States. The effort to deduce this power from the right of raising armies is a flagrant attempt to pervert the sense of the clause in the Constitution which confers that right, and is incompatible with other provisions in that instrument. The armies of the United States have always been raised by contract, never by conscription, and nothing more can be wanting to a Government possessing the power thus claimed to enable it to usurp the entire control of the militia, in derogation of the authorities of the State, and to convert it by impressment into a standing army." —NILES's *Annual Register*, vol. vii. (1814–'15).

IX.

(Vol. II., page 115.)

New York, December 15, 1864.

MY DEAR GENERAL,—May I ask you for two copies of your General Order No. 97 (I mean the order you issued in consequence of the decision of the Canadian judge releasing the robber-rebels).

I desire to paste your order in my *Schedarium Juris Gentium*. Let me hope that you will excuse the trouble I give you. Perhaps I ought to add that I desire the copies of your Order only if you have your Orders printed in the usual 8vo form; otherwise I can cut it out of the papers, which is, however, the thing I do not like.

One copy I desire to send to Heffter—the greatest international jurist on the continent of Europe.

With the highest regard, your obedient servant,

FRANCIS LIEBER

(No. 48 East 34th Street).

Major-general DIX, etc., etc., etc., New York.

X.

(Vol. II., page 181.)

Communication from the Governor, transmitting a Report from the Comptroller in regard to the Sinking Funds.

State of New York, Executive Chamber,
Albany, January 28, 1874.

To the Legislature:

I have the honor to transmit herewith a communication from the Comptroller in regard to the sinking funds set apart by the Constitution, and sacredly pledged to pay the interest and redeem the principal of the State debts. I cannot too strongly commend the facts and suggestions contained in this communication to your attention. They concern the proper administration of the financial department of the Government, and the preservation of the good faith of the State toward the public creditors.

I have referred to this subject in both my Messages to the Legislature, and more particularly in the one which I had the honor to make to you at the commencement of your present session. In the financial statement presented to me when I was preparing it the aggregate amount of the several sinking funds was set down at $15,594,901 05. On inquiry in what manner these funds had been set apart, as required by the Constitution, I found that nearly two-thirds of the amount existed only on paper, and that the moneys belonging to them had been consumed in defraying the current expenses of the Government, in direct violation of the constitutional requirement and of the plighted faith of the State. The communication of the Comptroller explains the manner in which this failure to fulfil a high constitutional obligation has been caused, and points out the only mode in which the obligation can now be complied with. I do not doubt that it is his duty, under the higher law of the Constitution, to invest all moneys raised by taxation for these funds as rapidly as they come into his hands, instead of expending them to meet legislative appropriations, and to leave the latter unpaid until other means are provided for them. In my first annual Message I assumed that, as sinking funds were, in their nature, a solemn pledge of faith to creditors for the payment of the debts due to them, to borrow money on the credit

of those funds for other purposes, to make them the subject of any other pledge, or to make even a temporary use of the moneys or securities of which they consisted, was a clear violation of the pledge originally given. Farther reflection has confirmed my confidence in the correctness of this conclusion.

Some years ago there were uninvested moneys belonging to the capital of the general fund debt sinking fund, and these moneys were used to meet current expenditures. Since that time the Legislature has, in repeated instances, authorized the Comptroller to invest surplus moneys belonging to the capital of the sinking funds in taxes thereafter to be collected, and to apply these moneys to meet appropriations made by the same act. An investment in a tax does not convey a very definite conception of the financial measure intended. In plain terms, it is an expenditure of money to be replaced at a future time by taxation. But, in point of fact, when the authority to invest was given to the Comptroller, in the instances referred to, there were no surplus moneys in existence to be invested or expended, and the result has been that the principal of the sinking funds has been invaded and consumed, as already stated.

The largest deficiency is in the sinking fund of the bounty debt. This debt was contracted under section 11 of title 7 of the Constitution. The sinking fund to extinguish it was created by chapter 325 of the laws of 1865, and the money provided for it became, by virtue of the section referred to, applicable to the repayment of the debt, and "to no other purpose whatever." Like the sinking funds of the general and canal fund debts, it is inviolable, and can only be invaded and consumed through an infraction of the constitutional requirement.

The act, chapter 448 of the laws of 1867, amending that of 1865, requires the Comptroller to invest the proceeds of the annual tax authorized to be levied for this sinking fund, from time to time, as it can be judiciously done, in the bonds authorized to be issued under that act, "or in any of the stocks issued by this State or the United States." The requirement of the Constitution setting apart the sinking funds for the payment of the State debts, and the requirement of the law in regard to the bounty debt sinking fund, are in accord, and a failure to make the investment prescribed by the latter would involve a violation of both.

I make these suggestions with entire confidence in your earnest desire to take such measures as may be necessary to maintain inviolate the faith of the State, and to relieve the financial department of all embarrassment in meeting public obligations, both of an ordinary and extraordinary character.

JOHN A. DIX.

State of New York, Comptroller's Office,
Albany, January 26, 1874.

To his Excellency John A. Dix, Governor:

I called the attention of the Legislature, in my annual report, submitted at the beginning of the present session, to the general fund and bounty debts of the State, and the condition of the sinking funds intended for their payment at maturity, for the creation of which provision is made in the Constitution of the State.

I deem it a matter of so grave importance to the proper administration of the financial department of the Government, and the present and future credit of the State, as to justify me in alluding to the subject more in detail in this special communication to you.

The general fund debt now outstanding amounted on the first day of January, 1874, to $3,988,526 40, payable as follows:

On demand	$30,443 76
July 1, 1875	900,000 00
July 1, 1878	800,000 00
At pleasure	2,258,082 64
	$3,988,526 40

The bounty debt at the same date amounted to $20,815,000, payable April 7, 1877.

The general fund and bounty debt amounted in the aggregate to $24,803,526 40.

Provision was made for the creation of a sinking fund for the payment of the general fund debt in the second section of the seventh article of the State Constitution, which provides that "the principal and interest of the said sinking fund shall be sacredly applied to the payment of said debt."

The whole amount required to take up and cancel said general fund debt has been contributed and paid into the treasury under said section and article of the Constitution, but the

moneys so contributed for the establishment of this sinking fund have been diverted from their legitimate purpose, and expended in payment of appropriations made by the Legislature, nominally in anticipation of taxes from year to year, and the same cannot be invested until such taxes are paid into the treasury.

The bounty debt was created to meet certain expenses of this State, incurred in the suppression of the late rebellion, in pursuance of chapter 325 of the laws of 1865, under the authority contained in the eleventh section of the seventh article of the Constitution of the State, which is in the following words:

"In addition to the above limited power to contract debts, the State may contract debts to repel invasion, suppress insurrection, or defend the State in war, but the money arising from the contracting of such debts shall be applied to the purposes for which it is raised or to repay such debts, and to no other purpose whatever."

There has been assessed and should have been paid into the treasury at the present time to the credit of this bounty debt sinking fund the sum of	$9,790,072 24
There is, in point of fact, invested at this time to its credit, and now in the custody of the Comptroller, the sum of	2,772,444 09
Of which amount $2,220,200 were invested during the year 1873—	
Leaving a balance to be invested when the same is received into the treasury from taxes assessed and not yet paid, as of January 1, 1874, of	$7,017,628 15
Add to this the amount due the general fund debt sinking fund already paid into the treasury and expended in anticipation of the taxes as above stated	3,988,526 40
Making the total amount due to these sinking funds and not yet invested of	$11,006,154 55

Although this large amount stands as a deficiency in these sinking funds, it is largely made up of unpaid taxes, as will appear below.

The appropriations made by the Legislature had so far exceeded the revenues of the State from year to year, and so far trespassed upon the moneys which should have been invested in these sinking funds, that a tax of three and one-half mills on the dollar of the assessed valuation of the property of the State, amounting to over seven millions of dollars, was authorized by

the Legislature of 1872 to meet the deficiency then found to exist in the treasury.

Four millions seven hundred thousand dollars thereof were for the general fund deficiency, and two millions six hundred thousand dollars for deficiency in the canal fund. The latter sum has been paid over by the Comptroller to the canal department in full.

Four millions six hundred thousand dollars of said three and one-half mill tax yet remain uncollected, principally from the counties of New York, Kings, Westchester, Schuyler, Wayne, and Ontario, and when paid will be placed to the credit of said sinking funds, to wit.....	$4,600,000 00
There is yet unpaid of the general tax for the same year....	1,500,000 00
There has been anticipated and used in payment of appropriations for the new Capitol, asylums, etc., of the tax authorized in 1873.....	1,500,000 00
Cash in bank (December 31, 1873).....	1,900,000 00
Deficiency yet existing in the treasury which must be made good by taxation.....	1,500,000 00
Making a total of	$11,000,000 00

This large sum of eleven millions of dollars should have been raised, paid into the treasury, and invested in the bonds of the United States or the State of New York, for the sinking funds, as required by the Constitution, and the laws under which such debts were authorized to be created, but a large portion of it has been diverted and used to pay extraordinary appropriations made by the Legislature, and a still larger portion is provided for in the deficiency tax and other taxes which will not be collected and reach the treasury within a year from the present time.

In addition to the amount already authorized, as above stated, there will be contributed to the bounty debt sinking fund, from the two mill tax, levied annually for four years, 1873 to 1876, both inclusive, a sum which will be ample to provide for the redemption of the debt at maturity, if no farther inroads are made upon these funds; but it should be borne in mind that the proceeds of the tax levy of 1876 will not reach the treasury, under existing laws, until after April 7, 1877, when the bounty debt matures. Provision should, therefore, be made in advance to meet this contingency.

In view of the present condition of the treasury, as set forth in this statement, and of the large appropriations heretofore made and paid, in anticipation of the receipt of taxes levied to meet them, which has brought great embarrassment to this Department, it is submitted whether it is not the imperative duty of the Legislature to provide means to pay appropriations as they may be authorized, without farther encroachment upon the sinking funds constitutionally dedicated to the redemption of the State debt. Such a diversion is in direct violation of the Constitution; and if the policy of *investing these sinking funds in unpaid taxes* is continued from year to year, the financial department will be constantly embarrassed, and when the debt matures, in 1877, the money will not be in the treasury, for the reason that, as at present, a very large amount will be used to pay appropriations in anticipation of taxes which cannot be made available until about a year after the debt falls due.

In view of these facts I shall regard it as my duty to obey the mandate of the Constitution, and invest the proceeds of taxes and other sums due the sinking funds, as rapidly as they reach the treasury, in the securities authorized by law.

Although the facts presented in this communication are substantially given in my recent annual report, I think it advisable to repeat them in this condensed form, to the end that they may be submitted to the Legislature, should it seem to you to be proper, accompanied by such suggestions as you may think expedient to make in relation thereto.

Respectfully, NELSON K. HOPKINS, Comptroller.

Report of the Comptroller, in answer to a Resolution of the Senate, passed February 10, 1874.

State of New York, Comptroller's Office,
Albany, February 11, 1874.

To the Senate:

I have the honor to acknowledge the receipt of a resolution of the Senate, passed on the 10th instant, in the following words:

"*Resolved*, That the Comptroller be and he is hereby requested to report what loans, if any, have been made under the provisions of section 10 of article 7 of the Constitution of the State, which have not been paid, and which constitute a debt at this time under said section, and to what amount; and if such loan has been made, by what authority."

In response thereto, I respectfully submit the following report:

Chapter 760 of the laws of 1873 contains the following paragraph: "The sum of $1,000,000 is hereby appropriated toward the erection of the new Capitol, which shall be paid by the Treasurer, upon the warrant of the Comptroller, to the order of the new Capitol Commissioners, as they shall require the same. Whenever there is a deficiency in the treasury of moneys applicable to the payment of this appropriation, the Comptroller is hereby authorized and required to borrow, from time to time, such sums as the said Commissioners may require, and the money so borrowed shall be refunded from the money received from taxes levied to meet this appropriation."

Chapter 765 of the laws of 1873 imposed a tax for the fiscal year beginning on the 1st day of October, 1873, of one-half of one mill on the dollar of the taxable property of the State, for the purposes of the new Capitol, amounting to $1,064,813. The tax imposed under this chapter is expected to reach the treasury during the current calendar year after the 15th of April next.

There was no money in the treasury applicable to the payment of said appropriation to the Capitol, and under the authority of section 10, article 7, of the Constitution of the State, and of the above quoted clause from chapter 760 of the laws of 1873, the amount of said appropriation, to wit, $1,000,000, was borrowed from the capital of the sinking funds and advanced to the Commissioners of the new Capitol under said appropriation, and in anticipation of the one-half of one mill tax authorized by said chapter 765 of the laws of 1873. No part of this amount has yet been paid or refunded to the treasury, and none of it can be realized under existing laws until after the 15th of April next.

All payments heretofore made from the treasury on appropriations made by the Legislature in excess of the revenues by taxation, or otherwise, have been borrowed from the sinking funds.

The deficiency now existing in the several sinking funds, and heretofore reported to the Legislature, is the direct result of such payments in advance of the requisite provision to meet such appropriations by tax.

Respectfully submitted.

NELSON K. HOPKINS, Comptroller.

XI.

(Vol. II., page 182.)

THE CASE OF WILLIAM FOSTER.

Letter of Governor John A. Dix to Rev. Stephen H. Tyng, D.D.

State of New York, Executive Chamber,
Albany, March 17, 1873.

REVEREND AND DEAR SIR,—I have given to the representations contained in your letter my most earnest attention; and I have carefully examined all the testimony, the official papers, and all the statements which have been made to me in the case of William Foster, who lies under sentence of death for the crime of murder.

In a recent case, not unlike his, I said I was willing to have it understood that circumstances of a very extraordinary nature would be needed to induce me to interpose for the purpose of annulling the deliberate and well-considered determinations of juries and courts.

I find no such circumstances attending the criminal act of Foster, his trial, the verdict, or the decision of the Courts by which the record was reviewed.

The public interest which has been and is still felt in this case, the extraordinary efforts which have been made to procure a commutation of the sentence, the publicity given to these efforts, and the long period of time—now nearly two years—which has elapsed since the crime was committed, make it proper for me, before communicating to you my final decision, to state the circumstances and the considerations on which it is founded.

Foster and Putnam, his victim, met in a railroad car in the city of New York. The latter had two ladies in his charge; and, in consequence of certain annoyances by the former, remonstrated with him on his conduct. It does not appear that Putnam offered him any provocation. Foster, who had been on the front platform, entered the car and sat down by Putnam, asking him several times how far he was going; and when the latter declined to answer and turned away, obviously desiring to avoid a controversy, Foster said, "Well, I am going as far as you go, and before you leave this car I will give you hell."

He then returned to the front platform and asked the driver if he had a car-hook, saying "he would learn him (meaning Putnam) his business when he gets off the car; he would learn him to keep his place." When the car stopped Foster seized the car-hook, telling the driver, who tried to stop him, to "go to hell," walked the whole length of the car on the outside, attacked Putnam, who had just got out, and struck him two blows on the head, one of which was fatal.

They were together after the first conversation between them, while the car was passing from the vicinity of Twenty-ninth Street to Forty-sixth Street, not far from three-fourths of a mile, embracing too long a period of time to ascribe the criminal act to the sudden impulse of passion, or to exclude the presumption of premeditated design. The fatal blow was given with an iron rod, which was proved by the result to be a deadly weapon. It is more than two feet in length, having at one end a double coil of iron, from an inch and a quarter to an inch and a half in circumference, and is capable, in the hands of a man of ordinary strength, without any extraordinary effort, of fracturing the skull at every blow. Foster had been a conductor on one of these street cars; he must have known the capacity for injury of the weapon he deliberately chose, and the jury might rightly presume that he intended to do what he took the most effectual means within his reach to accomplish.

The murder was committed on the 26th of April, 1871; the trial began on the 22d of May ensuing; the verdict was rendered on the 25th, the sentence passed on the 26th, and the 14th of July was fixed for his execution. Early in July application was made for a commutation of the sentence, and on the 6th a writ of error was filed, and a stay of proceedings granted. On the 21st of February, 1872, the judgment was affirmed at the General Term in the city of New York, and the 22d of March was fixed for the execution of the sentence. The application for a commutation was renewed, and was denied by my predecessor on the 4th of March. On the 11th of that month a writ of error to the Court of Appeals, with a stay of proceedings, was granted; and on the 21st of January, 1873, the judgment was affirmed by the last-named tribunal.

Thus it appears that all the remedies provided by law for contesting the rulings of the Judge before whom the trial took

place have been exhausted, and that his action has been affirmed by the two judicial tribunals having cognizance of the case, the latter the court of last resort.

The question presented to me is, whether I shall interpose the executive authority of the State and commute the penalty of death, which the law awards to murder, for imprisonment for life.

In support of the application it is urged that the verdict was accompanied with a recommendation to mercy, and that it is the duty of the executive to consider the one as a part of the other. This is, no doubt, so far true, that it should commend the case to his most careful and deliberate consideration. It is an appeal which he should recognize by reviewing all the circumstances, not only with a willingness, but with a desire to find in them a justification for the exercise of his clemency. There is no responsibility under the law on the part of juries in making such recommendations. On the other hand, the responsibility of the executive, in acting upon them, is very delicate, whether they be considered in reference to the opinions of the jurors who make them, or to considerations of public policy, which, as a conservator of the good order of society, he is bound to regard in applications to mitigate penalties annexed by the statute to crimes. My predecessor, no doubt, under the influence of such considerations, or from the belief that the criminals were justly condemned to death, refused in three instances to commute their sentences, although recommendations to mercy accompanied the verdicts.

The application is supported on another ground, which is more embarrassing, and which has been to me a source of great anxiety in coming to a right decision. A large majority of the jurors, part of them by affidavit and others by written statements, declare that some of their number did not believe Foster intended to kill Putnam; that they thought imprisonment for life as great a punishment as he deserved, and that they would not have agreed to render the verdict of murder in the first degree, involving the penalty of death, if they had not been assured by one of their associates, who professed to have a knowledge of the law, that such a verdict, accompanied with a recommendation to mercy, would insure a commutation of the sentence. With two exceptions, these statements are all recent;

and the two exceptions bear date more than ten months after the murder was committed. Two applications, as already stated, were made to my predecessor for a commutation of the sentence, one as late as March, 1872; and there is no evidence that any such statement was presented to him, nor is there any reference to one in his letter denying the latter application.

It is a settled principle in this State that *ex parte* affidavits or statements by jurors, impeaching the verdicts they have rendered under the responsibility of their oaths, will not be received by the courts in support of applications for new trials. Indeed, I believe it may be stated as a rule far more widely accepted, that the courts will not suffer a jury "to explain by affidavit the grounds of their verdict to show that they intended something different from what they found." Whether the rejection of such affidavits and statements be founded upon the belief that, by reason of the protracted deliberations of juries in many cases, and the differences of opinion to be reconciled in coming to the requisite unanimity, they could be easily procured; or whether they be rejected upon the ground that statements made under no responsibility cannot be permitted to overthrow adjudications made under the highest, it can hardly be doubted that they would tend, if admitted, to unsettle the administration of justice, and render executions under capital convictions nearly impossible. Some of the reasons which govern courts in refusing to receive such statements in support of applications for new trials ought, in my judgment, to govern the executive in applications for the commutation of sentences. In the Judge's charge to the jury he said, "Before you can convict the prisoner of murder in the first degree you must be satisfied from the evidence, not only that Foster killed Putnam, but that he did so with a premeditated design to effect his death;" and he was thus convicted by the jury upon the responsibility of their oaths. Ought the same persons to be permitted nearly two years afterward to show by *ex parte* affidavits and statements, made under no legal responsibility, that their verdict was untrue?

The precedent of admitting after-revelations of the secret consultations of the jury-room, for the purpose of annulling verdicts rendered as true under the solemnity of an oath, would be perilous in any condition of society; and, in the present de-

fiant reign of crime, such a precedent would be fraught with infinite danger to the public order.

Every proper appliance which wealth and the influence of a most estimable family could command has been employed to save Foster from the scaffold. The case has been carried through all the courts by eminent counsel; the opinions of gentlemen learned in the law, and earnest applications from respected clergymen and citizens in good standing, have been brought before me; and the widow of the victim has come forth from her solitude to plead for the life of her husband's murderer. I have given to these appeals my most thoughtful consideration. If there were any reason to doubt that the law was rightly ruled at the trial, or that the evidence fully warranted the jury in rendering the verdict of murder in the first degree, I would give the criminal the benefit of that doubt. But, with a firm conviction that there was no error in either, and that there is nothing in his case which can justly commend it to executive clemency, I cannot interpose to mitigate his punishment.

I am pained to say this to you, appreciating as I do your sincerity and the purity of your motives; and I desire to announce my decision to yourself and the other respected clergymen who have joined in interceding for him, in the spirit of kind consideration due to those whose sacred vocation teaches them to look with tenderness upon the frailties of others.

To the representations of the gentlemen in secular occupations who have appealed to me in his behalf I have paid the same respectful consideration; but I am constrained to think that they have neither given sufficient forethought to the consequences of what they ask, if it were granted, nor considered that with the best intentions we may, by misdirected sympathy, contribute unconsciously to endanger the public safety and our own. I am asked, in disregard of the evidence and the judgment of the highest judicial tribunal in the State on the law, to set aside the penalty awarded to the most atrocious of crimes. It seems to me that the inevitable effect of such a proceeding on my part, under the circumstances of this case, would be to impair the force of judicial decisions, and to break down the barriers which the law has set up for the protection of human life. To this act of social disorganization I cannot lend the

executive authority confided to me by the people of the State. I deem it due to the good order of society to say that, so far as depends on me, the supremacy of the law will be inflexibly maintained, and that every man who strikes a murderous blow at the life of his fellow must be made to feel that his own is in certain peril. If we cannot by firmness of purpose attain this end we may soon be forced to acknowledge the disheartening truth that there is nothing so cheap or so ill-protected as human life.

I address this letter to you because you were the first to apply to Governor Hoffman, and the first to apply to me for a commutation of Foster's sentence. It is sent in sincere sympathy with you, his early spiritual adviser, and with his afflicted family, some of whom I know and hold in the highest esteem, but with the clear conviction that I am performing an imperative duty.—I am, dear Sir, with unfeigned respect and esteem, yours,

JOHN A. DIX.

REV. STEPHEN H. TYNG, D.D.

XII.

(Vol. II., page 186.)

HOW FORT WADSWORTH GOT ITS NAME.

May 19, 1864.

Hon. E. M. Stanton, Secretary of War:

SIR,—I respectfully suggest that the name of Wadsworth be given to one of the forts in this harbor. At this juncture it strikes me as singularly appropriate, and I am sure it would be well received by our whole community. I do not know why Fort Richmond is so called. The records of the Engineer Department may show. With my present information it suggests nothing to my mind but some passages in British history, and a city sheltering traitors in arms against the Government.

If there is any reason why this name cannot be changed for another which is identified with our own history at the most critical period of our existence, and adorned with the manliest virtues, the fort at Sandy Hook is without a name, and may be made a medium for transmitting to posterity one eminently endeared to the people of this State.

I am, very respectfully, your obedient servant,

JOHN A. DIX, Major-general.

58 Ninth Street, May 19.

DEAR GENERAL,—I return, with many thanks, the rough draft of your letter to the Secretary about naming one of the forts in the harbor after General Wadsworth. I think it admirable, and have no doubt it will be successful.

Yours very sincerely, IRWIN McDOWELL.

Major-general DIX.

XIII.

(Vol. II., page 208.)

REFUTATION OF CHARGES AGAINST TRINITY CHURCH CORPORATION.

Office of the Corporation of Trinity Church, No. 187 Fulton Street, New York, April 2, 1878.

To the Editor of "The Index," Boston, Mass.:

SIR,—An article in your paper of the 5th of January last, to which my attention has very recently been called, professes to state some "ASTOUNDING FACTS ABOUT TRINITY CHURCH."

As these alleged facts have no existence, I ask, as an act of justice to Trinity Church, the use of your columns to correct the misstatements which have been imposed on you. I present them in the order in which I find them:

1. "Trinity Church owns a vast amount of real estate in New York City, lying compactly between Broadway and the North River, and extending nearly two miles in length and from one-fourth to three-fourths of a mile in breadth. The whole district enclosed by a line running eastward from the North River through Cortlandt Street to Broadway, thence northward seven squares to Warren Street, thence one square westward to Church Street, thence eleven squares northward to Canal Street, and (continuing on Greene Street) seven squares still northward to Amity Street; thence six squares westward to Sixth Avenue, thence four squares northward to Greenwich Avenue, and thence seven squares south-westward on Christopher Street, where the line strikes the North River once more—all this immense district, lying in the most valuable part of the city, belongs to Trinity Church, together with considerable territory south of Cortlandt Street, concerning the exact boundaries of which we are left in some doubt."

The district embraced in the boundaries above described contains, as nearly as can be calculated, 5000 lots of the usual dimensions in the city—25 feet by 100. The whole number of lots belonging to Trinity Church is 750—about one-seventh of

the number in the above-described district. The property of Trinity Church is, therefore, overstated about 600 per cent. In other words, of the 5000 lots 4250 belong to individuals, and not to this Corporation. The 750 lots belonging to the latter do not lie "compactly" in the district referred to, but are scattered over it singly or in small groups.

2. "The value of this enormous amount of real estate is, at a low valuation, fully SEVENTY MILLIONS OF DOLLARS."

This estimate is obviously founded upon the misapprehension that Trinity Church is the owner of the whole district referred to, instead of one-seventh part of it. Thus the whole value of the real estate of this Corporation, according to the estimate of your informant, correcting his statement as to its extent, would be but $10,000,000. This, however, is an exaggeration. The income derived from it last year was $456,786 45—less than the legal interest of $7,000,000; this year it will be much less; and the whole property is productive, except the ground occupied by seven churches, four cemeteries, four school-houses, a rectory, an infirmary, and a very few vacant lots. No reasonable estimate would place it at a higher value than $7,000,000.

3. "If we correctly understand our informant, Trinity Church pays no tax on the land itself, though the lessees pay taxes on the buildings they have erected upon it under long leases."

The entire inaccuracy of this statement will be seen by the following extract of a letter which I addressed to General Grant in March, 1876, to correct a like misapprehension on his part:

"The fact is, that the Corporation of Trinity Church is taxed, under the laws of this State, precisely in accordance with the suggestions in your Message to Congress. Its property consists of church edifices, cemeteries, school-houses, an infirmary, a rectory, and several hundred lots of ground, which, with the exception of a few used for parochial purposes, are leased partly for short and partly for long periods. On the short leases the Corporation pays the taxes; on the long leases the taxes are paid by the lessees. I paid in September last, as Comptroller of the Corporation, on the former, $46,943 91; and we estimate the amount paid on the latter at $60,000, making over $100,000 paid to the city this year for taxes, besides a considerable sum for assessments. We pay taxes on every foot of ground used for secular purposes. We pay on our rectory, in which the Rector resides, on the office in which the business of the Corporation is transacted, although it is

within the boundaries of St. Paul's Cemetery. In fact, nothing is exempt except the church edifices, the cemeteries, four school-houses, in which free schools are kept, and an infirmary, in which the sick receive gratuitous treatment."

I will only add that I have, as Comptroller of Trinity Church, paid to the city for taxes on its real estate, since the 1st of October, 1877, the sum of $64,107 97.

4. "According to the official records in the offices of the Chief of Police and the Excise Commissioners, the real estate of Trinity Church supports SEVEN HUNDRED AND SIXTY-FOUR LIQUOR SALOONS or gin-mills, and NINETY-SIX KNOWN HOUSES OF PROSTITUTION (ninety-two white and four colored), with many others suspected to be such."

The utter recklessness of this accusation cannot be better illustrated than by the statement of the fact that the alleged number of liquor saloons and houses of prostitution is 860, exceeding by 110 the whole number of lots owned by Trinity Church. If the accusation were true there would be a liquor saloon on every lot belonging to this Corporation, and on 96 of its lots a liquor saloon and a house of prostitution. The charge is destitute even of a shadow of foundation. The number of lots of which the Corporation has the entire control is 483. On 259 of these the lessees own the houses. On 224 the houses belong to the Church. The former are leased for two years, and the latter for one. On all the leases of these 483 lots there has been for years a covenant on the part of the lessee that no intoxicating liquors shall be sold on the premises. It is as follows: "That he, the said party of the second part [lessee], his executors, administrators, and assigns, and each and every under-tenant or occupant of the said premises or of any part thereof, shall not, nor will at any time during the term hereby demised, sell, or expose for sale, any strong or spirituous liquors, wine, ale, or beer, or take or have a license for such sale."

This covenant is rigidly enforced, and I say, without fear of contradiction, that there is not a single liquor saloon or "gin-mill" on any one of these 483 lots. It is proper to add that there are 267 lots held for long terms on old leases. Over these the Corporation has no control, but a ground-rent is regularly collected, and the Vestry have no knowledge, nor do the records of the Police or Excise Departments show, that any one of them is used for either of the purposes alleged by your informant.

To put this calumnious accusation against Trinity Church effectively at rest, I addressed letters of inquiry to the Police and Excise Commissioners, and have received the following answers:

Police Department of the City of New York, 300 Mulberry Street,
New York, March 30, 1878.

DEAR SIR,—In response to your letter of inquiry of the 16th instant, I transmit the enclosed report, which I trust will prove satisfactory.

Very respectfully, WILLIAM F. SMITH, President.

General JOHN A. DIX.

Police Department of the City of New York, 300 Mulberry Street,
New York, March 30, 1878.

General William F. Smith, President, Board of Police:

SIR,—Referring to the letter of General John A. Dix to you, dated March 16, 1878, the undersigned have the honor to report:

That the letter calls attention to the following statement as having appeared in a newspaper published in Boston: "According to official records in the offices of the Chief of Police and the Excise Commissioners, the real estate of Trinity Church supports SEVEN HUNDRED AND SIXTY-FOUR LIQUOR SALOONS or gin-mills, and NINETY-SIX KNOWN HOUSES OF PROSTITUTION (ninety-four white and two colored), with many others suspected to be such."

The records of the Police Department do not state nor show that the real estate of Trinity Church supports seven hundred and sixty-four, or any other number of liquor saloons or gin-mills, or ninety-six nor any other number of known or suspected houses of prostitution.

Having a very general knowledge of the records and reports of the Police Department and its officers, it is our belief that the name of Trinity Church does not appear in them at all. Very respectfully submitted.

GEORGE W. WALLING, Superintendent.
S. C. HAWLEY, Chief Clerk.

Office of the Board of Excise, 298 Mulberry Street,
New York, April 2, 1878.

John A. Dix, Esq.:

SIR,—Yours of the 18th of March duly received, and I am instructed by the Board of Excise Commissioners to send you the information requested.

I would respectfully state that the official records in this office do not show the granting of any license to parties selling liquor, or saloon keepers, occupying property owned by the Corporation of Trinity Church.

By order. CASPER C. CHILDS, Clerk to the Board.

I might well be pardoned the strongest expression of indignation at these calumnious accusations against Trinity Church; but I withhold it, from the belief that you have published them without any suspicion of their untruth, and that you will cheerfully give the same publicity to their refutation.

Respectfully yours, JOHN A. DIX.

XIV.

(Vol. II., page 234.)

THE TWO VERSIONS OF THE "DIES IRÆ."

General Dix's first translation of the "Dies Iræ" was made in 1863; *the revised version appeared in* 1875. *The variations are as follows:*

1863.	1875.
1.	1.
Day of vengeance, without morrow!	Day of vengeance, lo! that morning
Earth shall end in flame and sorrow,	On the earth in ashes dawning,
As from saint and seer we borrow.	David with the Sibyl warning.
[Verses 2, 3, and 4 are the same in each version.]	
5.	5.
On the written volume's pages	Now the written book containing
Life is shown in all its stages—	Record to all time pertaining
Judgment-record of past ages!	Opens for the world's arraigning.
6.	6.
Sits the Judge, the raised arraigning,	See the Judge his seat attaining,
Darkest mysteries explaining,	Darkest mysteries explaining,
Nothing unavenged remaining.	Nothing unavenged remaining.
[Verses 7 and 8 are the same.]	
9.	9.
Holy Jesus, meek, forbearing,	Jesus, think of Thy wayfaring,
For my sins the death-crown wearing,	For my sins the death-crown wearing,
Save me, in that day, despairing.	Save me, in that day, despairing.
[Verses 10 and 11 are the same.]	
12.	12.
As a guilty culprit groaning,	As a guilty culprit groaning,
Flushed my face, my errors owning,	Flushed my face, my errors owning,
Hear, O God, my spirit's moaning!	Hear, O God, Thy suppliant moaning!
[Verse 13 is the same.]	
14.	14.
In my prayers no grace discerning,	In my prayers no worth discerning,
Yet on me Thy favor turning,	Yet on me Thy favor turning,
Save my soul from endless burning!	Save me from that endless burning!
[Verse 15 is the same.]	
16.	16.
When the wicked are confounded,	When the wicked are rejected,
And by bitter flames surrounded,	And to bitter flames subjected,
Be my joyful pardon sounded!	Call me forth with thine elected!

17.

Prostrate, all my guilt discerning,
Heart as though to ashes turning,
Save, O save me from the burning!

18.

Day of weeping, when from ashes
Man shall rise 'mid lightning flashes,
Guilty, trembling with contrition,
Save him, Father, from perdition!

17.

Low in supplication bending,
Heart as though with ashes blending,
Care for me when all is ending.

18.

When on that dread day of weeping
Guilty man in ashes sleeping
Wakes to his adjudication,
Save him, God, from condemnation!

XV.

(Vol. I., page 314.)

COMMUNICATION FROM THE HON. JOHN A. DIX TO THE SELECT COMMITTEE OF THE SENATE ON THE REPORT OF TRINITY CHURCH.

[The following communication from the Hon. John A. Dix to the Chairman of the Committee of the Senate on the Report of Trinity Church, was prepared when he supposed it would be impossible for him to appear before the Committee in person. On the 23d of February he presented himself as a witness, and after being sworn, and asked to state generally any facts within his knowledge in regard to the charges made against the Vestry of Trinity Church, he replied that when he was subpœnaed he was engaged in the transaction of important business, from which he feared he would not be released till the labors of the Committee were closed. He had, therefore, prepared a communication, addressed to the Chairman of the Committee, and sent it to Albany a week before, by Mr. Livingston, one of his associates in the Vestry. The session of the Committee having been continued to a later period than he had expected, he had thought proper to appear before them in person. He added that he had the communication with him, and if the Committee would permit him to read it he thought it would save them a good deal of time in preparing questions, and himself a good deal of inconvenience in writing out answers. The Committee having assented to the suggestion, he read the communication, as a part of his testimony.]

New York, February 11, 1857.

Hon. M. Spencer, Chairman of the Select Committee of the Senate on the Report of Trinity Church:

Sir,—I have just seen and read the Report made to the Senate on the 29th ult. by the Committee of which you are chairman, together with the testimony appended thereto; and as there are imputations therein derogatory to the character of the

Vestry of Trinity Church, of whom I am one, both as regards their fairness and their discreetness in the execution of their trust, I ask leave to submit to the Committee the following statement. Business of a very urgent nature, affecting the interests of others, which I should be inexcusable for neglecting, prevents me from visiting Albany. I should otherwise have appeared before the Committee and asked them to take my testimony orally, instead of soliciting their indulgence so far as to allow me to present it in the form of a written communication.

I was appointed a vestryman in the autumn of 1849, and have served in that capacity to the present time. With the exception of ten months in 1854 and 1855, during which I was absent from the country, and occasional temporary absences from the State at other times, I have attended with a good deal of regularity the meetings of the Vestry, and have taken a somewhat active part in its proceedings.

I do not propose to trouble the Committee with any discussion of the legal rights of the Corporation under the original grants by which it holds its property, or the legislative enactments by which its corporate powers have been confirmed or enlarged; nor do I intend to offer to the Committee any opinion with regard to the true interpretation of those enactments or grants. The sole object of this statement, which is made on my own responsibility, is to present such explanations as seem to me necessary to exonerate myself and my associates from charges which have been brought against us by some of the witnesses, and which do us, as I conceive, great injustice.

I beg leave to say farther, with perfect respect for the Committee and the body by which it was appointed, that, in presenting this statement, I have not overlooked the vital relation which an inquiry instituted by one branch of the Legislature, through the action of a committee, into the administration of the internal affairs of a religious corporation, bears to the rights of every ecclesiastical body in the State. I do not admit the existence of such an authority as has been exercised in regard to the body with which I am connected, more especially when carried so far as to solicit *ex parte* opinions concerning the motives under which individuals may have been supposed to act; and I cannot but think, when the question is deliberately considered, that it will be found to possess a most important bearing upon

the rights of conscience, which it was one of the leading objects of the Constitution to secure—a question well worthy, under this aspect, of the most serious public regard. If I have chosen to meet, with a reservation of rights which I deem inviolable, the imputations cast upon me and my associates, instead of passing them by in silence, it is in order that the minds of the Committee, the Legislature, and the community may not be misled by the testimony in which those imputations are contained.

Soon after my connection with the Vestry commenced my attention was attracted to the financial condition of the Corporation, which seemed to me very unsatisfactory. Its debts amounted to nearly half a million of dollars; and by reason of the large donations it was in the habit of making to other churches, its revenue had become inadequate to its expenditures, and the annual deficits were made up by a sale of property. I regarded this practice, though founded upon a generous consideration for the wants of other parishes, and a desire to promote the advancement of the interests of the Episcopal Church in the city and the State, as opposed to all sound principles of finance. No fund or endowment can long withstand a regular consumption of its principal. Encumbered as the Church property was by leases, it could rarely be sold, in any considerable parcels, without serious sacrifice; and it was my opinion that the contributions of the church, instead of being enlarged, should be curtailed; that its debt should not be increased, that its expenditures should, if possible, be brought within its income, and that its property should, as a general rule, be preserved until the expiration of its leases, when it could be sold without loss; thus leaving the church in condition to carry out with vigor and success the great plan of ministration which seemed to me to be clearly marked out by changes in progress in the distribution of business and population throughout the city.

In accordance with these views, when it was decided to build a chapel in the upper part of the city, in order to preserve to the church its ancient parishioners, who had removed in large numbers from the neighborhood of Trinity Church, St. Paul's, and St. John's, I introduced a resolution providing that the corporate debt should never exceed the sum of $250,000 beyond the amount of its bonds and mortgages, exclusive of those

given by churches. The latter were excepted for the reason that they have never been regarded as an available resource. No interest is collected on them, and they are, in fact, held by the Corporation for the purpose of preventing, in case of emergency, the property to which they attach from being devoted to secular uses. The resolution referred to, after being amended so as to increase the limit of the debt to $300,000, was adopted.

It is due to entire frankness to say that I was opposed to the construction of Trinity Chapel, believing the private wealth of the district, for which its ministrations were designed, sufficient to furnish them without the aid of Trinity Church. At the same time there were arguments in favor of the measure, on the score of justice and practical usefulness, which it was not easy to answer, and solicitations from old and faithful friends of the church, who had removed to the upper part of the city, too earnest and persuasive to be resisted by the Vestry, many of whom had been their associates from an early period in life, and who were naturally reluctant to dissolve the connection as they approached its close.

The measure having been resolved on, the Vestry adopted a plan which the architect estimated to cost $40,000. I urged its adoption on the ground of its comparatively small cost, and I particularly pressed on the Vestry the consideration that in the principal parish church enough had been done by them for the embellishment of the architecture of the city. At a subsequent meeting a majority of the Vestry, deeming the proposed edifice too small, or perhaps too plain for the position it was to occupy, adopted another plan, estimated by the architect to cost $79,000. It was never intended by the Vestry to exceed that sum. But those who have had any experience in building churches know not only how little confidence is to be placed in such estimates, but how difficult it is to adhere to original designs; and they will be disposed to consider the Vestry—who ultimately found themselves involved, greatly to their disappointment and annoyance, in an expenditure of $230,000 for the chapel and site—as objects of sympathy rather than censure.

This unlooked-for expenditure, and the continued annual contributions to other parishes, which the Vestry were unwilling to abridge, have carried the corporate debt up to the enormous

sum of $668,000, exceeding by the sum of $469,000 its available bonds and mortgages.

It is well known that the greater part of the city below Chambers Street is devoted to purposes of business, and that private dwellings have given place to stores and warehouses. The wealthy portion of the population has gone to the upper districts, and most of the churches of all denominations have followed them. The North Dutch, which is still engaged in useful spiritual labors in the neighborhood of St. Paul's; the Methodist church in John Street, unhappily rent by internal strife; and St. Peter's, a Roman Catholic church, in Barclay Street, still maintain their ground. With these exceptions, Trinity Church, St. Paul's, and the church in Beekman Street, formerly St. George's, purchased and now entirely supported by Trinity, stand alone in this great deserted field of labor. The same process is going on above Chambers Street, and in a few years there will in all probability be no churches below Canal Street but those of Trinity parish. Notwithstanding this exodus of wealth, a vast population, the inhabitants, in great part, of alleys, garrets, and cellars, estimated to exceed 120,000 souls, occupy the field it has abandoned; and if Trinity Church had followed the same instincts which have drawn off the other religious societies of the city to its more attractive districts; if she also had abandoned to their fate the poor and necessitous, whom wealth and fashion have bequeathed to her, the lower part of the city would have presented an example of religious destitution unparalleled in the history of Christian civilization.

It was in view of this great change in the condition of the population of the city that I introduced into the Vestry, on the 10th of April, 1854, the following resolutions:

Resolved, That the Standing Committee be instructed to report a plan by which the expenditures of the Corporation shall be limited to its income.

Resolved, That the said Committee be instructed to inquire into the expediency of making the seats in Trinity Church, and in St. Paul's and St. John's Chapels, free.

Resolved, That the said Committee be instructed to inquire into the expediency of establishing free schools in connection with Trinity Church and its chapels.

Resolved, That the said Committee be instructed to inquire into the expediency of devoting the funds of the Corporation, as far as may be practicable, after making provision for the support of the new chapel in Twenty-fifth Street, to the education and religious instruction of the poor of the city.

The last resolution, as originally presented, was confined to the poor of the city below Canal Street; and, on the suggestion of a member of the Vestry, it was, in view of future contingencies, amended so as to embrace the whole city.

This is the plan which nearly four years ago I deemed it my duty to bring before the Vestry. It was supported by a somewhat labored argument, which was not committed to paper, and which I will not tax the patience of the Committee by attempting to recall to remembrance. I trust, indeed, that no such exposition is necessary, and that the resolutions sufficiently explain their purpose. Their design was to rescue the lower part of the city—that portion which has not only an immense body of resident poor, but which receives into its bosom the greater part of the destitute who seek a refuge here from hardship in other countries—to rescue this combined mass of permanent and temporary indigence from the utter spiritual abandonment with which it was threatened by the removal of those to whose wealth and liberality it had been accustomed to look for sympathy and pecuniary aid to more congenial districts. The plan comprehended not only the spiritual instruction of the adult inhabitants of this deserted district, once the seat of nearly all the wealth of the city, but the education of their children, and, to the extent of the means of the Corporation, a ministration to their temporal wants. Trinity Church, with its endowments—fortunately growing more valuable with the progress of the city—was to stand in the place of the individual opulence which has fled from a district where its tastes could no longer find suitable fields for indulgence, and established itself in others, where it has rivalled Genoa in its streets of palaces, and where, in all its appointments and manifestations of in-door and out-door life, there is a concentration of refinement, luxury, and splendor unequalled excepting by a few of the great capitals of Europe.

It is possible that I may have looked upon this plan with that undue partiality which individuals are apt to feel for suggestions originating with themselves. But it seemed to me to have been among the designs of Providence that Trinity Church should have been planted in this great district, ready, with her ample endowments, to make provision, when the emergency should arrive, for those whom individual wealth has left upon

her hands. I hold this to be the great mission of Trinity Church; and I have pressed on the Vestry, on all proper occasions, the duty of preparing for it, and of commencing the work with the utmost diligence. Though the plan has not been formally adopted, it has been practically acted on; and it is due to my associates in the Vestry to say that they have responded to all appeals in behalf of the destitute districts below Canal Street by as liberal an expenditure as the income of the Corporation, crippled by a heavy debt and burdened by large annual contributions to other churches, has admitted. The clerical force of the parish has been nearly doubled; the Sunday-schools have been greatly enlarged; parish schools for the gratuitous education of children have been established; by far the greater part of the pews in Trinity Church, one hundred and four out of one hundred and forty-four in St. Paul's, and a large number in St. John's, are free; efforts have been put forth to bring into the church those who have not been accustomed to attend any religious worship; Trinity Church is opened twice a day throughout the year for divine service; a mission office has been established to receive applications for aid; lay visitors are employed to seek out want and relieve it; missionary agencies have been instituted in connection with the Commissioners of Emigration; the whole lower part of the city has been virtually made a field of missionary labor; and a degree of energy has been infused into the ministrations of the church, temporal and spiritual, which compensates in a great degree for the lost support of the religious societies removed to other districts. In the midst of all this earnest effort, with five of her clergy residing within this neglected field of labor, conversant with little else than its destitution, and devoting themselves to the relief of its wants, Trinity Church finds herself assailed as faithless to her trust by those, for the most part, whose lives are passed amid the social amenities of the upper districts, and in an atmosphere redolent with indulgence and luxurious ease.

It was not supposed by me when this plan was brought forward that it could be fully carried out until a considerable portion of the leased property of the church should become available for the purpose. It was only expected that a beginning should be made, and that the plan, in its great outlines, should have a practical adoption. However earnest the desire to put

it in operation at an earlier period, the unexpected augmentation of her debt not only renders such a desire hopeless, but manifests that it may be even farther postponed, or possibly defeated, without a prudent husbandry of her resources.

For the better illustration of this point I annex a statement of the revenue and ordinary expenditures of the Corporation for the year ending the 30th of April, 1856 :

Revenue.

1. From ground-rents of real estate	$67,359 53
2. " pew-rents	6,998 50
3. " interest	13,259 41
4. " Trinity Church Cemetery	4,155 92
	$91,773 36

Expenditures.

1. Parish expenditures, including (besides those obviously such) charges upon and expenses of management and care of the property of the church, necessary diocesan expenses, and annuities to families of deceased clergymen, or to officers of the parish	$71,344 22
2. Interest on debt	36,522 15
3. Allowances, donations, and loans to other churches	32,053 42
	$139,918 79
Deduct revenue	91,773 36
Leaving a deficit for the year ending April 30, 1856, of	$48,145 43

The deficiency for the year ending the 30th of April, 1857, was estimated on the 1st of May last at $40,638 66. The grants actually made by the Corporation to clergymen and churches, to be paid during the year, in addition to the regular allowances, amount to $11,640, and the appropriations for building school-houses and renovating and enlarging St. John's Chapel to $28,000—

Making together	$39,640 00
Deduct cash on hand May 1, 1856	10,016 38
	$29,623 62
Add estimated deficiency	40,638 66
Leaving a deficit for the year ending April 30, 1857, of	$70,262 28

This deficit can only be met by selling real estate. The deficits of the last ten years exceed $270,000 (without including

the cost of Trinity Chapel), and the Corporation has provided for them by selling lots, and applying the proceeds to the augmentation of her insufficient income. While she is assailed as niggardly in her donations, and as engaged in a systematic accumulation of her capital, she has, in fact, for years been selling her real estate, and meeting with the proceeds the pressing demands on her—a large portion of which have grown out of her contributions for the support of other churches. The estimated expenditure of the present year continued till 1862 would consume so much of the Lispenard lease which becomes disencumbered in that year, and embraces a large and valuable part of her real estate, as to leave her a balance insufficient to pay her debt—

Which is now	$668,813 00
This debt may be reduced by mortgages	199,469 00
to the sum of	$469,344 00
Add deficit of $70,262 28, for five years	351,311 40
And there will be the sum of	$820,655 40

to be provided for by sales of real estate—a sum exceeding the highest estimate in the report of the Committee of the value of the Lispenard lease; and unless the prices of real estate become greatly enhanced during the next five years, nothing will remain of the lease referred to, after discharging the pecuniary obligations above specified, a portion of which must be provided for by the sale of other property.

The expenditures of the parish cannot be materially abridged without prejudice to its interests; and the Vestry are unwilling to reduce the annual allowances to other churches, believing that such a reduction would cause great inconvenience to the recipients, and in some cases impair, to a serious extent, the efficiency of the parishes thus assisted.

In regard to the necessity of allowing the capital of her endowment to be consumed by the current expenses of the Church, I have differed in opinion with a majority of the Vestry. While they have deplored it, and yielded to it as a necessity, I have been in favor of meeting it by retrenchment, and bringing down the expenditure, as nearly as may be, to the standard of the income. I have urged this duty on the Vestry as one demanded by every maxim of financial prudence, and with the less hesitation, as the inconvenience to result from it would be of short

duration; for if the real estate disposable in 1862, or the great mass of it, can be kept undiminished until that time, the Church will be in condition to prosecute the great plan of ministration she has entered on with an efficiency which cannot fail to produce results of the highest importance to the city and the State. If I have thought the Vestry in error in this respect, it is not because I have considered them lacking in liberality, but because they have yielded, under impulses highly honorable to their feelings, to an outside pressure for contributions, which, in view of the deep and lasting interests involved in the question, I would have resisted.

This is, in truth, the only ground of apprehension in regard to the success of the plan of religious instruction for the poor of the lower part of the city. It must utterly fail, if Trinity Church, for the purpose of meeting a regular series of annual deficits in her revenue, caused to a great extent by her contributions to other churches, shall consume her real estate; and for this reason I would incur a temporary inconvenience for the purpose of carrying out a great system, the benefits of which would be incalculable in value and endless in duration.

To hold her real estate until it is unencumbered and can be sold without sacrifice is in no just sense an accumulation of capital. To accumulate is to augment by a re-investment of income, or, in other words, to convert revenue into principal. If her income exceeded her necessary expenditures; if, instead of contributing it to the wants of others, she were to withhold it and use it for the augmentation of her capital, she would be fairly obnoxious to the imputations cast upon her. Instead of erring in this direction, she has, as has been shown, been for a series of years expending large portions of her principal, and mainly for the purpose of making donations to other parishes.

In proof of this I present the following statement of the receipts and ordinary expenditures of the Corporation for the last ten years, with the annual deficits of income and the allowances and loans made to other churches. I have prepared it from the books of the Corporation, and it has been examined and compared by Mr. Dunscomb (the Comptroller) and myself with a general statement of the financial affairs of the Church for the same period, by Mr. Roach, an experienced accountant, and I believe it to be in all respects correct:

Year ending April 30, 1847.

Revenue	$68,498 47	Allowances to other parishes	$10,825 00
Expenditure	94,791 93	Donations " "	5,134 00
		Loans " "	600 00
Deficit	$26,293 46	Total allowances, etc.	$16,559 00

Year ending April 30, 1848.

Revenue	$74,258 54	Allowances to other parishes	$10,175 00
Expenditure	95,984 28	Donations " "	7,800 50
		Loans " "	3,900 00
Deficit	$21,725 74	Total allowances, etc.	$21,875 50

Year ending April 30, 1849.

Revenue	$78,869 85	Allowances to other parishes	$12,600 00
Expenditure	88,096 79	Donations " "	4,889 14
		Loans " "	3,800 00
Deficit	$9,226 94	Total allowances, etc.	$21,289 14

Year ending April 30, 1850.

Revenue	$77,799 63	Allowances to other parishes	$13,000 00
Expenditure	95,741 11	Donations " "	4,705 18
		Loans " "	12,198 00
Deficit	$17,941 48	Total allowances, etc.	$29,903 18

Year ending April 30, 1851.

Revenue	$75,871 31	Allowances to other parishes	$13,683 00
Expenditure	100,233 44	Donations " "	4,488 13
		Loans " "	9,377 00
Deficit	$24,362 13	Total allowances, etc.	$27,548 13

Year ending April 30, 1852.

Revenue	$77,979 77	Allowances to other parishes	$14,715 00
Expenditure	108,317 39	Donations " "	12,806 72
		Loans " "	7,650 00
Deficit	$30,337 62	Total allowances, etc.	$35,171 72

Year ending April 30, 1853.

Revenue	$86,073 97	Allowances to other parishes	$16,785 00
Expenditure	110,592 66	Donations " "	9,186 21
		Loans " "	7,700 00
Deficit	$24,518 69	Total allowances, etc.	$33,671 21

Year ending April 30, 1854.

Revenue	$85,710 53	Allowances to other parishes	$21,706 00
Expenditure	137,078 99	Donations " "	6,916 26
		Loans " "	17,100 00
Deficit	$51,368 46	Total allowances, etc.	$45,722 26

Year ending April 30, 1855.

Revenue	$95,195 72	Allowances to other parishes	$15,058 33
Expenditure	114,677 30	Donations " "	7,290 16
		Loans " "	2,000 00
Deficit	$19,481 58	Total allowances, etc...	$24,348 49

Year ending April 30, 1856.

Revenue	$91,773 36	Allowances to other parishes	$15,500 00
Expenditure	139,918 79	Donations " "	10,552 42
		Loans " "	6,000 00
Deficit	$48,145 43	Total allowances, etc...	$32,052 42

RECAPITULATION.

	DEFICITS.	ALLOWANCES, ETC.
1847	$26,293 46	$16,559 00
1848	21,725 74	21,875 50
1849	9,226 94	21,289 14
1850	17,941 48	29,903 18
1851	24,362 13	27,548 13
1852	30,337 62	35,171 72
1853	24,518 69	33,671 21
1854	51,368 46	45,722 26
1855	19,481 58	24,348 49
1856	48,145 43	32,052 42
	$273,401 53	$288,141 05

Analysis of Allowances, etc.

	ALLOWANCES.	DONATIONS.	LOANS.
1847	$10,825 00	$5,134 00	$0,600 00
1848	10,175 00	7,800 50	3,900 00
1849	12,600 00	4,889 14	3,800 00
1850	13,000 00	4,705 18	12,198 00
1851	13,683 00	4,488 13	9,377 00
1852	14,715 00	12,806 72	7,650 00
1853	16,785 00	9,186 21	7,700 00
1854	21,706 00	6,916 26	17,100 00
1855	15,058 33	7,290 16	2,000 00
1856	15,500 00	10,552 42	6,000 00
	$144,047 33	$73,768 72	$70,325 00
Allowances		144,047 33	
Allowances and donations		$217,816 05	
Loans		70,325 00	
Total		$288,141 05	

By this statement it appears that the deficits of revenue in the last ten years amount to $273,401 53, and the amount given away and contributed to the support of other parishes is

$288,141 05 — exceeding the aggregate deficit by the sum of $14,739 52. And, as I have already said, the whole deficit for the ten years (incurred for the benefit of others) has been made up by a sale of real estate, and is to that extent a consumption of principal.

Several of the witnesses have testified that in granting aid to other churches the Vestry have acted under the influence of party feeling, refusing assistance to those who differ with them in opinion, and granting it freely to those whose views are in accordance with their own. I feel it to be my solemn duty to repel this imputation by stating my own experience. I have been more than seven years a member of the Vestry, and have been on terms of the most unreserved and confidential communication with my associates. I have discussed with them the propriety of granting and declining applications for aid, not only at nearly all the meetings of the Vestry, but in many cases in private interviews; and no reference has ever been made by me or by any one of them, at any meeting, official or private, to the party views of any of the Rectors or religious societies presenting such applications. The party divisions which have existed for several years in the Episcopal Church, and which have not only impaired its capacity for doing good, but dishonored those on both sides who have been active in keeping them alive, have never been a subject of discussion at any meeting of the Vestry which I have attended, nor have they been alluded to in connection with applications for aid. I have taken a deep interest in several applications myself, and have, perhaps, had some influence in securing grants of money to the applicants; and in no instance have I inquired what were the particular views of the Rector or the parish to which they belonged. I do not even know to this day whether they are High Church or Low Church. The only inquiries I ever made were in regard to their pecuniary and social condition, and their need of assistance; and these considerations, together with the ability of Trinity Church at the time to make the grants asked for, and the probability that the grants would be effective for the objects in view, have been the only ones which have guided me in my votes. I believe the other members of the Vestry have been equally free from the influence of party motives. My belief is founded upon my knowledge of them as enlightened, conscien-

tious, and liberal men, and upon all they have said and done in my presence through a familiar association of seven years. I cannot be supposed to have been deceived in regard to their principles of action but upon the hypothesis of a depth of dissimulation on their part, and an obtuseness of perception on my own, too gross for the largest credulity.

I can say with the same confidence that I do not believe those who have the management of the affairs of Trinity Church have sought, during the period of my connection with them (a period of a good deal of excitement), to influence Rectors or parishes on any question in the diocese through the instrumentality of her donations. It is due to others to add that I have for several years attended the conventions of the diocese, and become acquainted with a large number of the clergy. I have rarely met a more intelligent or independent body of men; and I regard the intimation that they would be governed in the doctrines they teach, or in the official acts they have to perform, by considerations arising out of the pecuniary aid their parishes may have received from Trinity Church, as alike ungenerous and unjust.

In a word, I consider all these imputations of influence on the one hand, and of subserviency on the other, as the offspring of mere groundless suspicion; and they are, in some instances, so loosely hazarded as to make it the part of charity to refer them to the same narrow and distempered views of duty which are falsely imputed to the Vestry of Trinity.

I have thus laid before the Committee with entire frankness a statement of my connection with Trinity Church, and the part I have borne in the management of her financial affairs, and the great scheme of religious and temporal ministration which I desire to see carried out, under her auspices and through the aid of her endowments, in the lower districts of the city. I do not believe the importance of giving effect to this plan can be overstated. The funds of Trinity Church are the only resource for accomplishing it: she must execute it, or it will fall to the ground, and the district in which three of her church edifices stand become nearly desolate for all spiritual purposes. The prosperity of the city is deeply involved in it. Destitution, temporal and spiritual, goes hand in hand with crime; and when even now the spirit of acquisitiveness, which is characteristic of

the age and has become its greatest scourge, is dishonoring it by forgeries the most barefaced, and staining it by murders the most foul, what shall be our social condition if, in a large portion of the city, destitution and spiritual neglect shall combine with cupidity to arm the hand of violence, and stimulate it to still grosser outrage? What higher office can Trinity Church fulfil, what higher benefit can she confer on the classes which have the deepest stake in the security of property and life, than by devoting herself, as she is now doing, to make the lessons of religious and social duty familiar to those who, under the pressure of their physical wants, have the strongest temptation to forget them? In the upper districts the possessors of nearly the whole private wealth of the city have become domesticated. There is more than one congregation the individual possessions of which are believed to exceed in value, with the largest estimate ever put on it, the entire property Trinity Church holds for the support of her four congregations. Those whom Fortune has thus overburdened with her gifts should be willing to leave unimpaired the endowments of Trinity Church, that she may make suitable provision for the poor whom they have left to her care. And whatever may be the narrowness of spirit which presides over particular circles, no doubt is entertained of the generous and catholic feeling which pervades the great body of the opulent classes. No city has more cause to be thankful for the munificence with which some of her richest men have contributed to great objects of social improvement within her limits; and it is most gratifying to add that in more than one instance the wealth which exists in the largest masses has been poured out with the noblest profusion to build up literary and charitable institutions for the common benefit. To such a spirit of munificence no appeal to relieve the destitution which hangs upon the outskirts of the upper districts need be addressed in vain. If among those to whom Providence has committed the spiritual guidance of these favored classes there are any who seek to compel Trinity Church to scatter her endowments broadcast over the city, and thus disqualify herself for the great work of charity devolved on her in the district in which her lot has been cast; if there are any who are engaged in inculcating an antiphonal beneficence the utterances of which are to be given only in response to those of Trinity, it is sug-

gested, with the profoundest deference, whether a nobler field for the exercise of their influence does not lie directly before them—whether the great ends of their calling will not be better subserved by laboring to infuse into surrounding atmospheres, overcast with penury and want, some of the golden light which irradiates their own.

The State, nay, the whole country, has a deep interest in this question. The city of New York, embodying as she does, to a great extent, the commercial and financial power of the Union, must exert a sensible influence upon the moral and intellectual character of all with whom she is brought into association. The slightest agitations on her surface undulate in all directions to the great circumference of which she is the centre. On Trinity Church are devolved, in the order of events, the spiritual instruction and guidance of the district by which she is brought most directly into contact with all that lies beyond her limits. If this duty is not faithfully performed, no voice should be raised in palliation of the delinquency. On the other hand, if any of those who have withdrawn from this part of the city the wealth which Providence has, in such disproportion, bestowed on them shall seek to deprive the destitute whom they have left behind of the sole resource for spiritual instruction and for the alleviation of temporal want—if they shall succeed, by misstating the condition and unjustly impeaching the motives of Trinity Church, in defeating her efforts to carry out the great system of labor with which she is occupied, they will incur the gravest and most odious of all responsibilities: that of consigning one of the most important districts in the emporium of the Union to an intellectual and spiritual death.

I have the honor to be, Sir, your obedient servant,

JOHN A. DIX.

XVI.

(Vol. II., page 209.)

GENERAL DIX ON SOCIAL AND POLITICAL EVILS.

The following is the address, on Social and Political Evils, delivered by General Dix before the New York Association for the Advancement of Science and Art, and referred to in the text:

MR. PRESIDENT, LADIES, AND GENTLEMEN,—It would have been very gratifying to me if I could have come before you, at the beginning of the Centennial Year, to discourse of the wonderful progress our country has made in population, wealth, and the arts of civilization. But it would have been an ungracious encroachment on the province of the distinguished orator who has been chosen to perform this service at the close of the first century of our national existence, in the Hall where our Independence was proclaimed to the world. And yet I feel that it is an ungrateful task to speak of social and political evils before the sounds of rejoicing with which the new year was ushered in have become faint upon the ear. But there cannot, perhaps, be a more appropriate season for looking our failures boldly in the face, and considering how we may convert them into future triumphs. It was thought by others that some profit might be gleaned from the discussion, connected as I have been from time to time with public affairs; and I have yielded to their opinion, though without much hope of justifying it, from the desultory nature of my subject, which, I have to say, will necessarily be discursive; and it can hardly be expected to rise to the level of an orderly arrangement, much less to the rank of a formal discourse; and I am apprehensive that the fairer portion of my audience will derive little gratification from a very plain treatment of a very unattractive theme. But if the State of New York should ever have the gallantry to confer on them the right to the ballot, they may possibly be benefited by some of my suggestions.

It is certainly a marvel that the framers of the Constitution of the United States should have succeeded in framing and agreeing upon a form of government so free from imperfections, and that, after the lapse of more than three-quarters of a century, and with a population essentially modified in material as well as ethical characteristics, so little cause should be found for changes in its structure. But there is a defect of administration which it will be difficult to remedy without an amendment by the concurrent action of Congress and three-fourths of the States. The defect is functional, and yet it seems only susceptible of cure by an organic change. I allude to the immense number of appointments made by the Executive Department. This patronage, as it is called, is usually regarded as a source

of influence; but it is very questionable whether it is or not, in one respect, an element of discontent. For every candidate for an important office who is successful there are many who are disappointed; and I doubt very much whether a President ever derived a personal or a political advantage from the exercise of the appointing power. The enormous increase in the number of appointments, inseparable from our growth in population and wealth, and from an application of the authority of the Government to the administration of its vastly augmented resources, has made expectations and hopes in regard to the distribution of office an active agency in our general elections. It is deeply to be regretted that it is so. When vital principles or important measures of policy are involved, the intrusion of a selfish interest to influence, or possibly determine, the result in a close contest, cannot be otherwise than demoralizing, and it might, under peculiar circumstances, be very injurious in its consequences. The theory of our political organization is, that public offices are to be created and bestowed in the interest of the public service. In practice we know very well that they have been conferred to reward political partisans for their activity at the polls, and for aiding to achieve party successes. I think it may be said as truly that this patronage, as it has been not improperly called, has sometimes been used to promote the renomination of the Chief Magistrate of the Union for a second term of office. I allude to a period somewhat remote from our own time; and there was reason for believing that in one instance, many years ago, cabinet officers were selected before the President entered on his first term, with a view to his re-election for a second. It is quite obvious that with such a supposed personal interest in the distribution of offices there should be danger of losing sight of the theory of our system—that the men best fitted by their talents and integrity for public trusts shall be chosen to execute them. This is a danger to be regarded with deep regret, though not, perhaps, with wonder. Chief Magistrates are but men: they have their weaknesses, like the rest of us; and it is not often, perhaps, that the head of a government sees or, if he sees, has the courage and sagacity to act on his knowledge, that the surest mode of gaining the approbation of his countrymen is to carry into his administration a determination to spurn away all the suggestions of self-interest

and all the biasses of party and personal associations, and in his official acts to be guided solely by the best good of his country.

I know but one mode of remedying the evil referred to—or at least of mitigating it, for the remedy is not perfect—and that is to confer on the Chief Magistrate a constrained disinterestedness, by making him ineligible to office for a second term. It will not, it is true, deprive him of the power of rewarding his political friends and supporters; but it will divest him of one of the most seductive motives to selfish action, by rendering its object unattainable, and inspiring him with the higher ambition of giving his countrymen a pure and beneficent administration, and securing for himself an enviable place in the history of his country.

DEFECTIVE DISTRIBUTION OF OFFICES.

There are some kindred evils, the fruits of the multiplication of offices, which are generally regarded in the nature of benefices rather than public trusts, and, as might have been expected, the different States are now claiming their distributive share. Not satisfied with the great number of local appointments—judges, district attorneys, marshals, collectors of internal revenue, postmasters, and, in some cases, collectors of the customs, naval officers, surveyors, and hosts of inspectors and clerks—they have procured, through their members of Congress, the passage of an act providing that after the first day of this Centennial Year the appointments in the Treasury Department at Washington shall be distributed among the States and Territories, according to their population. As a fair division of the spoils the arrangement is unexceptionable. But under such a system it is not merely necessary that a deputy-comptroller, a deputy-auditor, or a clerk should fulfil Jefferson's requirement of being honest, capable, and faithful to the Constitution, but he must also have a geographical qualification. He must be a Marylander, a Jerseyman, or a Californian, as the case may be. There would certainly be an equity in this rule if public offices were to be considered chiefly as beneficial employments for the incumbents, and not as trusts to be executed for the good of the country; but it is a departure from the theory of the Government, demoralizing in its tendency, and may be injurious in practice, by rendering it impossible in an emergency for the Government to command the services of a person of special

qualifications from one State because another State has not its quota of appointments. In other words, a particular person who is wanted from Virginia or Pennsylvania, if their lists are full, cannot be appointed because Rhode Island or Nevada has not its complement of employés.

This tendency to make public offices subservient to local and private interests carries with it the greater danger, that they will come to be used exclusively for party purposes. Some progress has already been made in this direction by removing employés whenever one administration is superseded by another antagonistic to it in politics. It is expected, as a matter of course, that heads of departments and some principal officers will be changed, when a party comes into power with measures and principles different from those of its predecessor, for it could not otherwise be sure of carrying out its policy. But the removal of faithful and experienced subordinates on account of their political opinions is pernicious in its influence in a variety of modes, and in none more so than in substituting inexperience for familiar acquaintance with the routine of service, and untried for tried fidelity. Fortunately, there will always be a limit, though it may be a narrow one, to this exercise of power of removal; for if a certain number of experienced employés were not retained, no administration could go on without imminent danger of miscarriage.

I believe the right view of this question is to be found in certain propositions set forth in an address unanimously adopted by a delegation from this State to a National Convention, held in 1832, for the nomination of candidates for the Presidency and Vice-Presidency. In the lapse of more than forty years public measures and issues have undergone so great a change that the origin of those propositions can have no party significance. They were:

1. All offices belong to the people, and are to be filled and administered for their benefit.

2. On a change of administration, involving a change of measures, a change of men is, to a certain extent, necessary to give effect to the former.

3. This change should be limited to the principal offices; and,

4. In the subordinate departments of the Government no individual should be removed on account of his political opinions.

If these propositions were carried into practice it would do much to explode the debasing notion, now somewhat prevalent, that public offices are to be distributed among the States on every change of administration, like prize-money among privateersmen after a successful cruise.

ABUSE OF PUBLIC OFFICE.

The abuse of public office for private benefit is by no means a new political vice. Let me give you my own experience in a particular instance. More than fifteen years ago the Postmaster of this city became a defaulter to a large amount, and absconded. The President sent here two officers of high rank—one a member of his Cabinet—to investigate the case, and at their solicitation and his I undertook the service and performed for a few months the duties of the office. On looking into the *personnel* of the establishment I found a Sachem belonging to a self-styled tribe of Indians, which has been domesticated in this city nearly three-quarters of a century, and which has for a large portion of the time controlled its municipal affairs. He was rendering no particular service. Indeed, he was very much like a male Indian in a normal state, lounging about the wigwam and letting others do the work. You may conceive the delicacy of the duty which devolved on me when I tell you that I belonged to the tribe myself, though through some acts of contumacy I have lost caste, and have not for many years been warmed at its council fires. But I informed the Sachem, in aboriginal phrase, that we had no hunting-grounds for him in the establishment, and he had the good-sense to say that it was just what he expected of me. I accepted his reply as a friendly criticism of my action, and we parted on the best terms, and have continued so ever since.

I next encountered a young gentleman from a South-western State, who came to the office for one hour on Saturday afternoon, and received a larger salary than many of the clerks who came early in the morning and remained till night every day in the week. I advised him that the public service did not require employés of his stamp, and a few days afterward I received a letter from Washington, signed by a number of Senators and members of the House of Representatives, one of whom was afterward President of the United States, asking me to restore

him. These signatures were no doubt given to oblige a friend; but the restoration of the young man was urged by the principal member of Congress, who was his relative, on the ground that he had gone to New York to study law, and that he was appointed a clerk in the Post-office with the understanding that he was not to perform the usual duties. I declined to restore him; but I did the best thing I could for the gentlemen who made the request—I addressed to them a homily on the duties of public officers, and there our correspondence ended.

It is very much to be regretted that the civil service reform failed. If it had been carried out it would have obviated much of the evil arising from the distribution of offices. As it is I see no remedy but the one I have suggested—the ineligibility of the President for a second term of office, extending the single term to six years, obviating some farther evils, and adding greatly to the comfort of the community, by prolonging the period of repose which follows a general election. It is not to be inferred, because I discuss only one defect in the administration of the general Government, that I consider it the only one obnoxious to criticism. There are others, and none more deserving of rebuke than the discreditable condition of our currency—a national reproach, for which the Congresses of the last ten years are responsible. The one which has just convened may be justly termed a Congress of great expectations, and it is earnestly to be hoped that it may do something for the country's honor and its own.

THE ELECTION OF JUDICIAL OFFICERS.

Let me now turn to the Constitution of this State, in which there is a serious organic defect—I mean the election of our principal judicial officers by the people. It is generally believed that this defect is irremediable—that the people of the State will never consent to relinquish this right and remit the power of appointment to the Governor, with the advice and consent of the Senate. This belief is strengthened by the fact that an amendment of the Constitution making this change was submitted to a popular vote a few years ago and rejected. Nevertheless I do not share this belief. I have great confidence in the right feeling of the people, and in their earnest desire to do what is best for the cause of good government; and if such a

change could be made to appear to them calculated to farther the ends of justice and render life and property more secure, I do not believe that they would decline to accept it because they had once rejected it, or that they would cling to the present mode of choice because a relinquishment of it would deprive them of their direct agency in the appointment of judicial officers. I think, therefore, that discussion should go on, and that the evil consequences of the existing system should be thoroughly canvassed and exposed. Let me say here that I am not opposed to the election of executive and administrative officers by the people. On the contrary, I wish that every citizen of the United States could vote directly for President and Vice-President, instead of electoral colleges. But there is a radical objection to the election of judicial officers for a limited term. It is opposed to the whole theory of judicial independence. The province of the judiciary is to give the true interpretation to the Constitution and the laws, and to adjudge their application to cases which arise in the various transactions of society; and no judicial system is perfect which does not place its incumbents above all biasses of personal interest, and their adjudications beyond the influence of all authority. To accomplish these objects it was the judgment of our original Constitution and law makers that they should hold their offices during good behavior, subject to removal for corrupt exercise of their functions; and I have never doubted that we should, soon or late, return to this system, as the only one compatible with a perfectly impartial interpretation of the laws. There is no danger in it; for if an interpretation is given to a law which the people deem injurious to them, they can amend the law. They have a perfect remedy in the power of legislation, which they control by the election of those who exercise it.

It will not be contended that the Governor and Senate are not as capable of forming a correct judgment in regard to the qualifications of candidates for the most important judicial appointments as the great mass of voters. The Governor, if he is worthy of his place, will nominate the most competent and deserving men; while the Senate, which will confirm or reject his nominations, is a body quite limited in numbers, usually composed of highly intelligent and trustworthy individuals, representing all portions of the State, and acquainted with its promi-

nent citizens. It may be said, without fear of contradiction, that the great majority of voters in casting their ballots for a Judge of the Court of Appeals—the tribunal of final resort for the determination of all questions affecting life, liberty, and property—know nothing of him except that he is the candidate of their party. I cannot give you a better illustration of what I say than by recounting an interview between myself and a gentleman of high standing before the general election of 1874. He is a man of great intelligence, and had been for years actively engaged in a business extending its ramifications through a large portion of the State. I said to him that I hoped he would vote for a particular candidate for the Court of Appeals, whom I named. To my surprise I found that he had never heard of him; and I said to myself, "If such a man is to cast his vote for a member of the highest judicial tribunal in the State without knowing anything about him, what can a voter in one of the sequestered districts in the interior know of the candidate to whom he is to give his suffrage, except that he has been nominated by a party convention?" These may seem trite reasonings, but they belong to the better days of the Republic, and it may be useful to recur to them, as the convictions of those who made the business of the Government a study under circumstances which called forth the highest talent, the most disinterested patriotism, and all the earnestness of which men are capable.

THE TENDENCY TO CREATE PARTISAN COURTS.

But it is not under this view alone that I consider the selection of our principal judges in the present mode objectionable. Its direct tendency is to create partisan courts. When the system was first established no such danger was apprehended, and for many years afterward men were put in nomination without much regard to their political opinions or affinities; and they were voted for mainly with reference to their legal learning, their integrity, and their supposed qualifications for the offices they were to fill. If there were exceptions they were very rare. But with the lapse of time the political element has become controlling. As a general rule, party lines are now as inflexibly drawn in the nomination and support of the highest judicial officers as in the election of a coroner or a

constable. The result is that where there is in a judicial district a continued party majority for a series of years there is a partisan Bench; and so it would be with the Court of Appeals if the political control of the State for a long period were with the same party. I make no distinction between the two leading parties. For whatever evil there is in this respect they are equally at fault. There were two memorable illustrations of what I say while I had the honor of administering the Government of the State. A vacancy occurred on the bench of the Court of Appeals by the death of one of its members, who was lost at sea. Of the seven judges of the court, including him, five were of the same political party. I appointed to the vacancy a gentleman of the opposite party, who had never been an active politician, who was then filling a judicial office next to the very highest, and who was acknowledged to be one of the ablest judges in the State. After his appointment the bench stood, politically, four to three; and yet I was assailed because I did not appoint to the vacancy an individual of the same politics as the deceased judge, and give the court the same party preponderance which it possessed while he was a member of it. The appointment made by me was temporary, and at the general election of 1874 it devolved on the people to fill the vacancy. The judge whom I appointed had gained new honors during his service as a Judge of the Court of Appeals, and was put in nomination. A political opponent, far inferior to him in judicial experience, and in no respect his superior, was nominated on the other side and elected. Twenty years ago I do not doubt that the result would have been different. The judge on the bench of tried integrity and legal learning, who had given universal satisfaction to the Bar and the people in the position for which he was renominated, would have had no political opponent, or if he had would have been elected, instead of being voted down by a party majority. In this case it was one of the great parties in the State which adhered inflexibly to its candidate, for the reason, and for no other, that he was its candidate.

Let me now give you an example of the same tenacity of purpose on the other side. One of the judicial districts had for a long period been controlled by the party I now refer to, and under the modern practice the four judges had been elected

from its ranks. The bench was strictly partisan. A vacancy occurred, and I filled it by appointing a gentleman of acknowledged ability and legal learning, who had during the two preceding years been a somewhat conspicuous opponent of the party in power in the district. The appointment was made with perfect deliberation on my part. My inquiries satisfied me that he had no superior at the Bar in his district, and that his integrity was unquestioned; and I determined to carry out my conviction that a bench ought not to be exclusively partisan. After his appointment the court still consisted of three to one in favor of the dominant party. The appointment, like the other I have mentioned, was temporary; and it devolved on the people to fill the vacancy also at the general election of 1874. The judge I appointed had acquitted himself with great credit, and had given general satisfaction. It was my earnest wish that he should be nominated by the dominant party, and I expressed it in every proper mode, not only because I thought the nomination would have been a mark of creditable liberality, but because it was undesirable that an entire bench should be composed of individuals of the same political opinions. But it was of no use. An opponent was nominated in his place and elected; the bench was made partisan again, and I had reason to believe that my action in the case was regarded as a want of fidelity to my party associations. Thus it will be seen, as I have said, that the tendency of the existing system is to create partisan courts; that is, in a district which is under the control of one party for a long period of time we shall have a bench consisting of members of that party, without the grace of a minority representation in the tribunals on the determinations of which life, liberty, and property depend. As time goes on, and these responsible trusts become more intensely partisan, as they probably will, there is danger that we may find candidates for them engaged, like other office-seekers, in electioneering for themselves, and thus contributing to soil the ermine of Justice by dragging it down into the foul arena of party politics.

That a purely partisan bench is undesirable for other reasons will not be denied. A judgment which is considered in its effect adverse to the interest of the party to which the court is politically opposed, or which is not in accordance with its opinions, will be very apt to subject the members to the imputation

of improper motives, however unjust such an imputation may be. But there is, in fact, always a real danger that its decisions on questions having a political bearing may be influenced, though unconsciously to its members, by party associations and long-cherished views of constitutional rights or considerations of policy, thus giving a bias to its judgments in spite of every desire and effort to be impartial. The danger is greater under an elective system. Judges are elected for a limited period. In most cases they look forward to the end of their term with the desire to be re-elected; and it requires an elevation of character above the average moral constitution of men to secure perfect freedom from the danger of being biased in their determinations by the desire to make themselves acceptable to the popular majority.

EXAMPLES OF SOCIAL DEMORALIZATION.

The two defects I have discussed may be remedied by amendments of the Constitution of the United States and the Constitution of the State. But there are social evils which are not the fruit of organism, and which can only be removed by a reformation of our moral condition. I am not one of those who think we are in all things worse than our predecessors, or what Horace would call *laudator temporis acti*—extolling the past at the expense of the present. I do not doubt that there have been eras of civilization which were more corrupt than our own. There seem to be stages of deterioration, through which communities are destined at some period of their existence to pass, reaching their worst state when the accumulations of wealth are greatest. We all know that our moral condition within the last fifty years has in some respects declined. Crimes have increased in a larger ratio than population. Nearly forty years ago I made to the Legislature a report of convictions for criminal offences for a series of eight years, and I remember distinctly that the number of cases of murder was less than three per annum for that period of time. In one of the years reported there was not a single conviction for that crime in the State; now there is scarcely a day that does not bring with it a murder, a homicide, or an assault with an intent to kill. There were very recently five convicts in one prison under sentence of death. Our condition in this respect is alarming. The major-

ity of crimes accompanied by violence are committed under the influence of intoxicating liquors. But others of the darkest dye are perpetrated in cold blood. The burglar who breaks into a house at night goes armed, and with the deliberate purpose of taking the life of the occupants if he is resisted. I fear we must admit that crimes have increased in atrocity as well as in number. And yet I think it may be said that there has been in one respect an improvement—that crime is more promptly and effectually punished in the State, as well as in the city, than it was five years ago. The ascendency of the corrupt men who controlled the municipal government at that time was not only marked by a system of depredation unprecedented in the history of responsible government, but it was manifested as unscrupulously, if not as mischievously, in the impunity of the crime. Notorious criminals, who were in the interest of these men, and who were useful to them at the polls, were, in repeated instances, allowed to escape the punishment due to their crimes by discharging them before trial, or prosecuting them so feebly as to insure their acquittal. A stranger coming among us would have supposed from appearances that there was some physical inability in the ministers of justice, like that which Ovid ascribes to Jupiter on a certain occasion. He said if Jupiter were to hurl a thunder-bolt at every man who committed a crime he would soon be out of ammunition. It is the certainty rather than the severity of punishment, as we all know, which is the most effective restraint upon the bad passions of men. In this I think I am right in saying there has been a change for the better within the last five years, and it is to be hoped that it may ere-long produce some salutary results.

Some of the worst examples of demoralization have been found among men in high social positions. Persons enjoying to the fullest extent the confidence of their fellow-citizens have been guilty of the grossest abuse of trust by converting to their own use money deposited with them by confiding friends, and in many instances reducing widows and orphans to poverty and destitution. Scarcely a week elapses without chronicling the flight of a cashier of a banking or commercial house, or a county treasurer with stolen funds in his hands. Other persons in respectable standing have lent their influence to the dissemination of doctrines subversive of the very order

of civilized society. I allude particularly to the free-love school, and to those who are laboring to make the dissolution of the bond of marriage less difficult. More than one of our States has dishonored itself by the facility their laws afford to release the wedded from the solemn obligation they have taken to be true to each other until death parts them. I am one of those who think that divorce can never be justifiable but for one cause, or at most for two causes; but there are States in which it may be obtained under the most frivolous pretexts. I do not believe that human society can be held together without a rigid adherence to the ties of matrimony; and those who are seeking to weaken them should be regarded as dangerous enemies to the civil order which is the chief end of all government.

THE DUTY OF EVERY CITIZEN.

I fear you will consider me as preferring a sweeping indictment against our social state; but I am not sure that I might not add other counts to it without injustice. The urgent consideration is, how we can improve our condition and eradicate the evils which have taken root among us. One of the first movements should be made by those who have failed to discharge faithfully and perseveringly the duty which every citizen owes to the cause of good government. It is well known that for many years thousands of our best citizens absented themselves from the polls, and allowed the government to go into the hands of ignorant and unscrupulous rulers; and we may trace to the influence of bad legislation, procured by mercenary appliances, much of the demoralization into which we have fallen. It is very strange that after a community has fought for self-government, shedding its blood and perilling all it possesses in the contest, any of its intelligent or reflecting members should place so little value on the right of suffrage as to abstain from exercising it, and leave to others the choice of the public functionaries, on whose fidelity their lives and property depend. It would be a just penalty for neglecting for two years, without good cause, to exercise the elective franchise to make the delinquent forfeit it forever. If every man would consider it a sacred duty to go to the polls and take part in the proceedings by which those who administer the government are chosen, it would be a decided and most salutary advance in the career of reform.

In the next place, the community at large should manifest an uncompromising determination to subject great malefactors to the utmost rigors of the law. It is difficult to fancy a more heinous crime, except the wilful destruction of human life, than that committed by the leader of the corrupt combination by which this city was plundered of twenty millions of dollars through a deliberate and systematic scheme of fraud extending through a period of years; and yet, before he was shut up (it cannot be said imprisoned) six months of the twelve years to which he was sentenced, he was the subject, as he is still, of a somewhat extended sympathy. A portion of the public Press contributed to this morbid and misplaced tenderness of feeling. One said that his custodians were denounced because they allowed him to use his cottage furniture; another, when it was alleged that he was exempted from the usual rigors in our system of prison discipline to which no criminal ought to be subjected; and a third suggested that it would be a merciful act to pardon the old man and let him go. Now, I believe it may be truly said that he was never imprisoned in strict accordance with the sentence of the Court by which he was convicted, or in the sense in which other criminals who have committed, by comparison, the most insignificant offences, undergo their sentences. The typical divinity who presides over the administration of public justice is always represented as blindfolded. If her bandage had been taken off on Blackwell's Island she would have witnessed what has never been seen before in the history of criminal jurisprudence—a convict who was allowed a private secretary to help him take care of his plunder. It is not at all creditable to us that he has used the money of which he robbed the city to subsidize the highest legal talent in the State to screen him from punishment. His escape from custody, and the indulgences extended to him during his detention, constitute the most disgraceful chapter in the history of the State, for it cannot be doubted that they were procured by corrupting public officials. Money honestly earned and beneficently expended is a fountain of good; but when stolen and used to defeat the ends of justice it can bring nothing but evil and dishonor to the community in which such an abuse is possible. In the growth of luxury and ostentation which follow in the train of wealth there is always a temptation to act upon

the maxim which Horace ascribes to one of his contemporaries: "Make money—honestly, if possible; if not, make money in any way you can;" and it is but a step to the indifference of the pander in Plautus when, in alluding to the probable death of a person with whom he had an infamous transaction, he exclaimed, "What's that to me? I have his money."

THE PUBLIC SCHOOL SYSTEM.

While there are many things to reform, there are others in which innovation would be disastrous, and which we should adhere to as tenaciously as to life itself. I allude particularly to the public school system which exists in most of the States. Let me say at the outset I have no fear that it is in danger. It is regarded, and justly, by the great body of the people throughout the Union as the surest preservative of our free institutions; and if it were abolished, and education were left to the desultory efforts of individuals and to private associations having no concert of action, I do not believe our liberties would long survive. They certainly would not, unless our theory that popular intelligence is the most stable basis for popular freedom is a delusion. Though we may trust with confidence to the firm hold which a system has on the public mind and heart, the simultaneous movement which has been made in these States to weaken it, by open denunciation on the one hand and insidious encroachment on the other, must satisfy us that there is need for unslumbering vigilance to maintain it in its integrity. While it is held by some individuals of high standing that the State should have nothing to do with the education of the people, thus placing their opposition on grounds of principle, others denounce the existing system as "the offspring of the devil," and as "a floodgate of social and national corruption." As all religious denominations, with a single exception, are nearly if not quite unanimous in favor of upholding it, I think, with the vigilance necessary to preserve intact almost every beneficent institution, we may count upon its stability at least as long as we count upon the preservation of our freedom. As this hostility is coupled, on the part of one class of opponents, with a movement in favor of establishing sectarian schools and maintaining them by taxation, I trust it will not be considered out of place to say something on this subject, as I was for six years

Superintendent of the Common Schools of the State when it was divided into more than ten thousand districts. One of the most difficult and delicate duties I had to perform was to compose dissensions arising out of differences of opinion on points of religious faith among the parents of children attending the schools—differences so stubborn that they extended to matters of school discipline. Such were the jealousies in districts of which the schools were attended by children whose parents were of two or three different denominations, as was the case in most of the districts, that it became a question of dispute whether a teacher should be allowed to open his school with prayer. It was feared that he might introduce into his supplications something which would favor doctrines antagonistic to the faith of the parents of some of his pupils. There were similar questions arising out of the use of particular school-books; but all these differences were satisfactorily adjusted, and public opinion settled down into the conviction that religious instruction could not, without endangering the system, be given in the public schools, but that it must be left to teachings in private schools, in the Sunday-school, or under the paternal roof. I have never been able to comprehend why there should be any objection among Christians to the New Testament as a reading-book, except by those who found on a difference in translation a difference on points of faith. But the State has left to the school-districts themselves the choice of all class-books. The peaceful settlement of all these questions was virtually a popular verdict against sectarianism in the schools; and it is this verdict which a class is laboring to reverse. I can fancy nothing but the ultimate destruction of the system, if the schools established by the State, and partially supported by public funds, are thrown open to the inculcation of the religious doctrines of any one sect. The danger would be more imminent if those doctrines were combined with political dogmas which, carried out in practice, would be subversive of the liberty of the Press and the freedom of opinion. It may be said that these dogmas are theoretical; but we should look with distrust and alarm upon any theory which, if practically enforced, would lead to the overthrow of all we consider vital to the existence of popular government.

GENERAL VIEWS OF HUMAN LIFE AND GOVERNMENT.

It may not be unprofitable, at the commencement of this Centennial Year, to take some broader views of human government and human life than those which belong to the passing hour. We must not allow the faulty action of our political system to shake our faith in its stability. It may be that all the institutions of men are, like the human body, destined to pass through successive processes of growth, decline, and decay. But by the same analogy we may expect some to be more long-lived than others. Some may perish in their infancy or their youth, while others may live on to a grand old age. We have a remarkable instance of longevity in the government of the nation from which we sprung. It has subsisted for over eight hundred years, with comparatively few internal convulsions and few changes in its structure; and, although it differs materially from ours, it stands before the world to-day, with its vast empire undiminished in extent since our Revolution, and with its strength unimpaired, the consistent, resolute, and powerful supporter of constitutional government. There is no reason why ours may not endure as long, if we are true to the fundamental principles of its organization, and if we have the virtue to resist the social corruptions to which all communities are exposed. We have an efficient safety-valve for disturbing forces in the unoccupied spaces west of us, and for the current of surplus labor which is flowing in from the eastern hemisphere. Our great peril will come when these spaces shall be filled up, and the reflux of population shall be felt from the shores of the Pacific. But we possess, in a greater degree than any of the generations which have gone before us, the elements of physical strength and of social improvement; for we cannot doubt that the mastery man has been permitted to acquire over the brute forces of nature is designed by a beneficent Providence to improve both our moral and our material condition. He would have been considered a madman who had prophesied fifty years ago that the Atlantic Ocean would be crossed in seven days, that this continent would be traversed in the same space of time, and that the intelligence of an event transpiring in London as the rays of the morning sun were striking on the dome of St. Paul's Cathedral would reach us here hours before they had lighted

up the spire before us. Other applications of the powers of nature as fruitful of good, and not less efficient as incentives to progress, may be in store for us, to give dignity to the part we are to perform in the drama mankind is enacting.

But with all these physical improvements it is doubtful whether our acquaintance with the agencies which enter into and govern our inner life have made any sensible progress from the period to which our earliest historical records reach. Some conception of the stupendous problem of human life may be gathered from the consideration that, during an existence not more extended than my own, at least two thousand millions of people have come into the world and gone out of it. It may be fairly questioned whether there can be found among the millions who are actors in the great social drama any lives which have not had their counterpart in other times, with little variation in the detail, and whether any sentiment or thought can be expressed now which has not been expressed heretofore. So far as the memorials of the past extend, they show that the outpourings of feeling and passion which were heard ages ago on the shores of the Ganges, the banks of the Nile, the Tiber, the Arno, and the Avon, and by the still waters of Siloam, are the same as those which are heard now, in varied forms of speech, wherever the human intellect rises above the level of mere animal necessities. It is thus in eras of civilization far distant from each other that mind is linked to mind and heart to heart by those mysterious bonds of sympathy which, in spite of the throes of intervening ages, still stretch unbroken across the chasm where empire after empire has gone down into the abyss beneath.

No one who has traced the current of human thought from the earliest sources revealed to us down to the present time can fail to be struck with its uniformity. Indeed, the writers in succeeding ages seem, at first glance, to be but a succession of plagiarists; and yet they are evidently, on a closer view, unconscious imitators—constrained to be so, because the current of thought in all that relates to the abstract runs forever in the same channels. Thus the utterances of the present are little else than echoes of the voices of the past. There are passages in Cicero almost word for word like others in the Psalms of David, and in St. Paul's epistles word for word like others in

the works of Cicero. In the great folio of Erasmus, of two thousand pages, on the adages of all ages and nations, you may trace to the ancient Israelites, and to the Greeks and Romans, almost every saying or proverb which is current among us to-day. Even the "almighty dollar" of Washington Irving has its equivalent in the *regina pecunia* of Horace. The ancient philosophers, groping without the light of the Gospel for great moral truths, were sometimes successful in grasping them amid the spiritual darkness in which they were involved, manifesting unmistakably that their minds were illumined by rays of the Eternal Essence which created and controls the universe. It is a remarkable fact that the precept which lies at the foundation of the Christian code—"Do unto others as you would have others do unto you"—was proclaimed as a moral axiom centuries before the advent of the Saviour, and that he did not disdain to adopt it, stamping it with divine authority, and prescribing it for the government of mankind. If we are to contend successfully against the social and political evils which beset us, it must be through a better observance of this and his other kindred commands. *In hoc signo*—in this sign only can we hope to conquer. The two altars of our religious and political faith should stand side by side. Then may we trust that their fires will ascend in a common flame to heaven, and call down the blessings of prosperity and peace upon our beloved country.

XVII.

SERVICES OF GENERAL DIX IN CONNECTION WITH THE ELEVATED RAILROAD SYSTEM.

For more than twenty years prior to 1872 the people of New York had felt the pressing need of more speedy communication between the upper and lower ends of the city than was afforded by the horse railroads, which were at that time carrying annually upward of 180,000,000 of passengers, or more than the combined population of France, Great Britain, and Austria. Every year the necessity had become more apparent and pressing, until it was generally admitted that Rapid Transit, in some form or other, was absolutely indispensable to the growth, prosperity, and health of the city. The over-crowding of tenement houses,

and the impossibility of enforcing sanitary laws and regulations, not only resulted in increased sickness and mortality, but also swelled the records of crime. Numerous plans for relief had been brought forward, but they were uniformly defeated. No less than seven charters had been granted for rapid transit railways, none of which had been able to secure the confidence of the public, or the capital necessary for their construction, either in consequence of their enormous cost as estimated, or of the impracticability of the plans.

At this juncture of affairs Dr. Rufus H. Gilbert, who had been a staff officer under General Dix during the war, and had previously devoted much time and study to the solution of the problem, perfected his plans for a system of elevated railways. Letters-patent were granted to him, and after great and continued opposition he succeeded in obtaining the passage of "An Act to incorporate the Gilbert Elevated Railway Company, and to provide a feasible, safe, and speedy System of Rapid Transit through the City of New York" (chapter 885, passed June 17, 1872). The act provided that the route or line of the railway should be designated and established by a Board of Commissioners named in the 3d section, viz.: Henry G. Stebbins, General Quincy A. Gilmore, Sheppard Knapp, Chester A. Arthur, and General John A. Dix; and that their action in the case should be final. General Dix was unanimously chosen chairman of the commission, and rendered important and arduous service in that capacity. His election the following year as Governor of the State enabled him, by his position, to defeat by veto the numerous measures brought forward in the Legislature to prevent the consummation of the project, and to secure this long-needed public improvement. The advantages gained are almost incalculable. Previously business men in the lower part of the city found, within a few minutes' walk of their offices and stores, ferries to New Jersey and Long Island, and comfortable and not over-crowded cars ready to take them to their homes. For fifty years previous to 1860 the growth of the city was at the rate of fifty-eight per cent. every decade; from 1860 to 1877 it fell off thirteen per cent., while the population of Hudson County, New Jersey, increased four hundred and seventy per cent. during the same period. A glance at the figures from the office of the Tax Commissioners will show that

there was an augmentation of $107,067,528 in eight years in the upper wards of the city of New York, directly traceable to the establishment of the elevated railways—which, at a rate of taxation of two and one-quarter per cent., gave an increase in the revenue of the city of $2,409,019 38; while within the present year (1882) as many as 300,000 passengers have been safely carried on these lines in one day.

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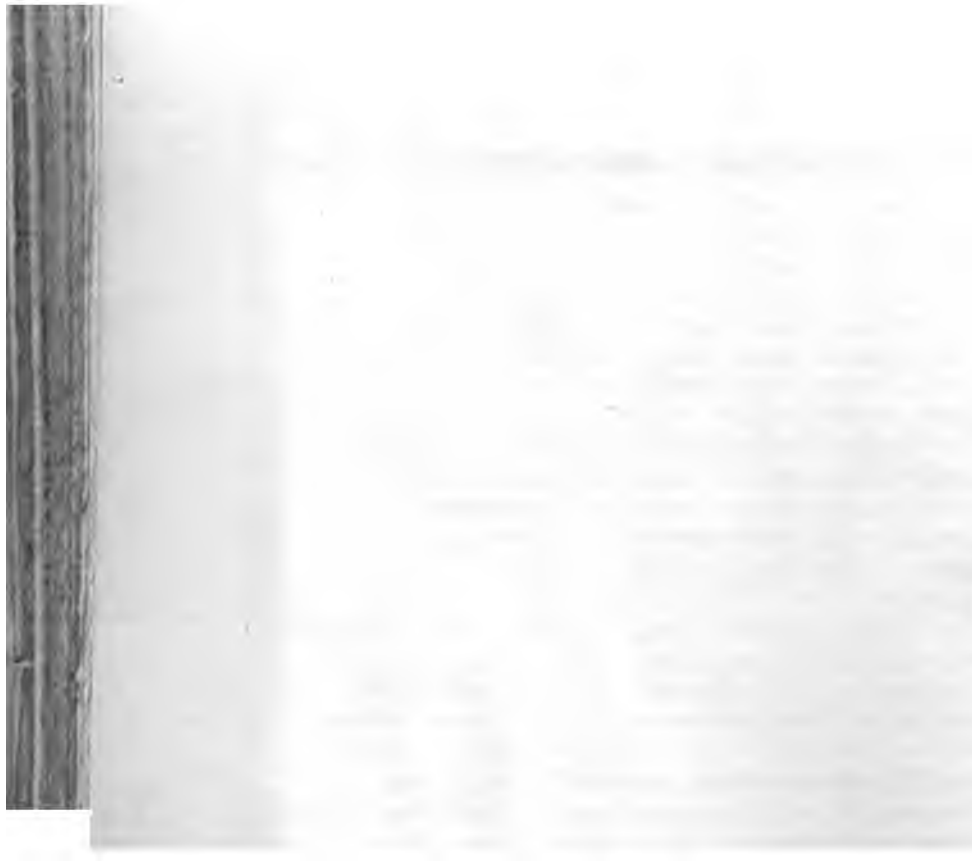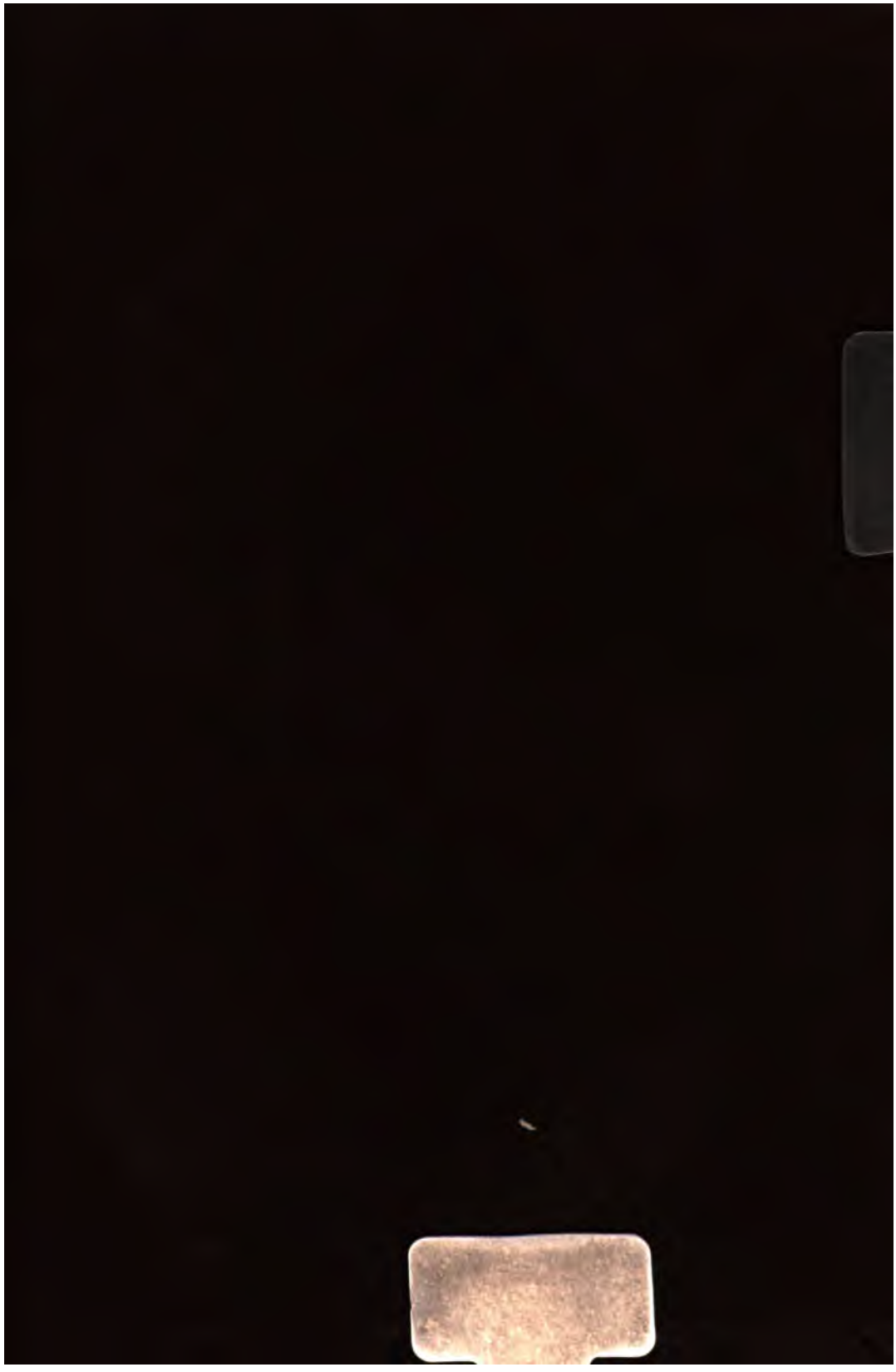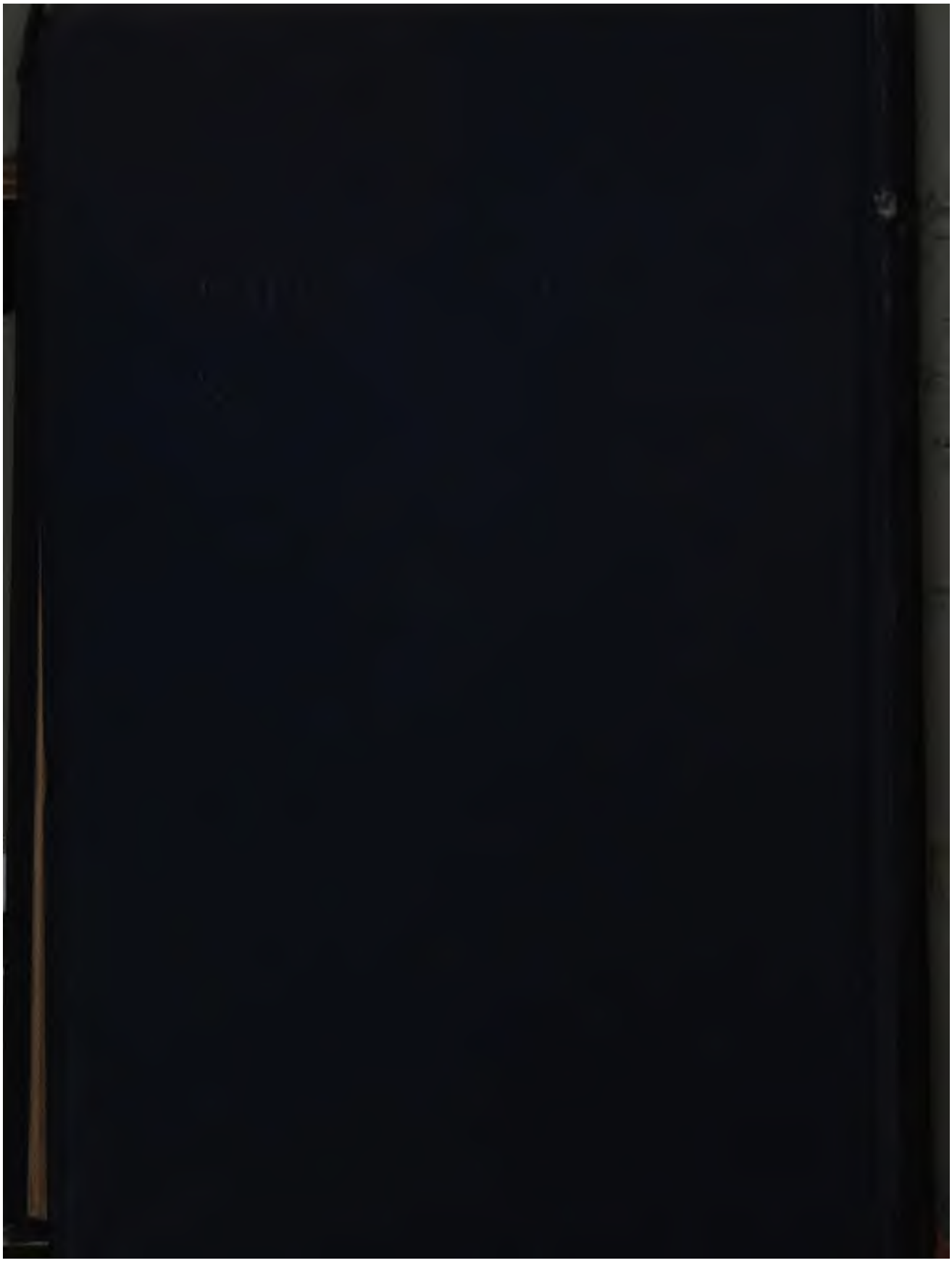
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